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*Geo Thompson*

# HISTORY OF MARYLAND,

WITH

BRIEF BIOGRAPHIES OF DISTINGUISHED STATESMEN,  
PHILANTHROPISTS, THEOLOGIANS, ETC.,

AND

## The Constitution of the State.

PREPARED FOR THE SCHOOLS OF MARYLAND.



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PHILADELPHIA:  
PUBLISHED BY E. H. BUTLER & CO.

## PREFACE.

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THE province of a text-book in History designed for use in schools is to present briefly and clearly historical facts uncolored by personal prejudice.

While it is possible in a book of this description to preserve a due regard for the "logic of events," and to render the story to a certain degree attractive, yet much that is of interest in biography, in incident, and in descriptions of manners and customs will, of necessity, be omitted. All that should be reasonably expected will have been accomplished, if, in addition to a knowledge of the outlines of History imparted by a work of this kind, the desire is awakened for more extended information concerning the characters and events therein mentioned or described.

In accordance with these ideas, the author has written this History of Maryland, bringing to the task an extended public-school experience. He has also been fortunate in having the advice and assistance of the Hon. George Colton of Baltimore, whose intimate knowledge of the history of the State will afford a guarantee of the general correctness of the work.

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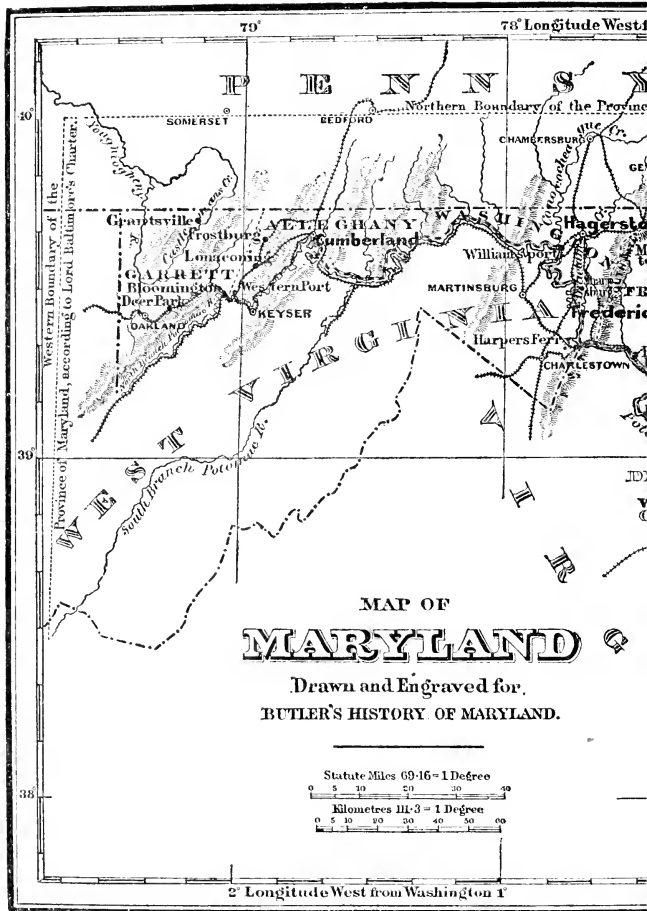
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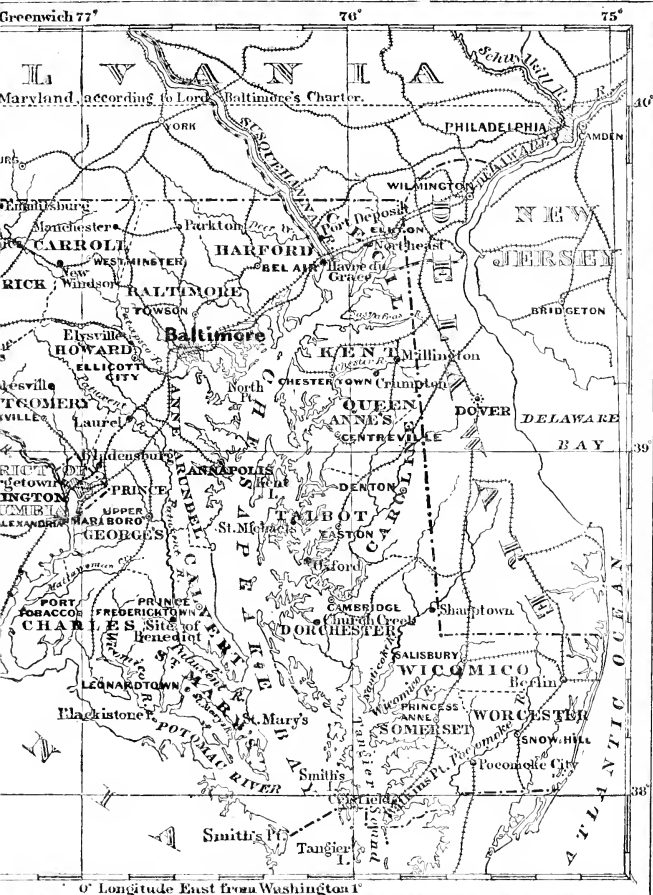
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# HISTORY OF MARYLAND.

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## CHAPTER I.

### *FIRST ENGLISH SETTLEMENTS IN AMERICA.*

**London Company.** A company composed chiefly of men living in London, England, whose object was to plant colonies and to trade in America.

**Plymouth Company.** A company similar to the London Company, composed chiefly of men from Plymouth, England.

**Pat'ent. Charter.** A patent was an official document giving the right to hold land and plant colonies. A charter, in addi-

tion to this, conferred certain privileges in regard to government.

**Of Norman descent.** Descended from the Normans who conquered and occupied England in 1066.

**Provincial** (prō vin'shal). Pertaining to a province or foreign settlement governed by the mother-country.

**Prejudice** (prēd'ju dīs). Damage, injury.

1. MORE than a century elapsed after the discovery of America by Columbus before a permanent English settlement was made in the New World. In 1606, James I., king of England, granted all the territory between the thirty-fourth and forty-fifth parallels of north latitude to two associations known as the London and Plymouth Companies. To the former was assigned all the land between the thirty-

fourth and thirty-eighth parallels, and to the latter all between the forty-first and forty-fifth. The intervening space was to remain unoccupied.

2. In 1607 the London Company planted the first permanent English settlement in America, at Jamestown, in the province of Virginia. The main object of the first settlers was to search for gold, so that for a number of years the colony did not flourish. During this time one of their leaders, Captain John Smith, explored the Chesapeake and the rivers that flow into it, and designed the first map of this magnificent bay.

3. The province of Virginia was under the immediate control of the king, who appointed the governor and other principal officers, and hence it was called a *Royal* government. To certain other colonies the right was given by their charters to select their own officers, and, to a great extent, manage their own affairs; these were called *Charter* governments. In some cases land was granted to persons, called Proprietaries, who undertook to settle the country in their own interest, and to whom full power and control were delegated by the king. Such governments were called *Proprietary* governments; and to this class belonged the province of Maryland.

4. Sir George Calvert, the founder of Maryland, was an English gentleman of Norman descent. He was a man of great ability, and stood high in the favor of King James I., who, in 1624, made him Lord Baron of Baltimore. During the same year



Lord Baltimore professed the Roman Catholic faith. At that time there was a strong feeling in England against the Catholics, and his attention was turned toward founding a home in America where he could live in peace and security.

5. After an unsuccessful attempt to settle in Newfoundland, he visited Virginia, in October, 1629.

Here he was requested by the governor and Council to take the oath of allegiance, and to acknowledge the supremacy of the king as the rightful head of the Church in England. Unwilling to do the latter, he proceeded to explore the unsettled country on the shores of Chesapeake Bay, and decided to plant a colony there.

6. Returning to England, he applied to the king for a grant of the country south of the James River, extending to the bounds of Carolina. For this he obtained a patent, but, through the opposition of the Virginia Company, was compelled to give it up. He then applied for a grant of the country on the Chesapeake Bay north of the Potomac River. In this application he was successful, but, before the patent was made out, he died, in April, 1632.

7. He was succeeded in his title and estates by Cecilius, his eldest son, who now became Lord Balti-



FIRST LORD BALTIMORE.

more. On the 16th of June, 1632, the patent was signed giving him the territory for which his father had last applied. King Charles I., who in 1635 had succeeded his father, King James I., named the province *Terra Mariæ*,—that is, Maryland,—in honor of his queen, Henrietta Maria.

8. This patent was for a territory described as “hitherto uncultivated, and partly occupied by savages,” extending from Watkins Point, on the bay, opposite the mouth of the Potomac River, northward to the fortieth parallel of north latitude, and from the Atlantic Ocean and Delaware Bay on the east to the Potomac River on the west.

9. This grant included the territory now constituting the States of Delaware and Maryland, Pennsylvania to the fortieth parallel of north latitude, and a part of West Virginia. Settlements had already been made within these limits by the Dutch and Swedes, on the Delaware River, and by William Claiborne, a member of the Virginia Council, on Kent Island, in Chesapeake Bay, and at the mouth of the Susquehanna River. Much trouble arose subsequently in adjusting the conflicting claims of these settlers and Lord Baltimore.

10. The charter of the colony made all English immigrants English subjects, with the rights and privileges of such. It also gave them, in conjunction with Lord Baltimore, authority to make all needful local or provincial laws not conflicting with English law, without reference to the king or to Parliament.

**11.** It further provided that no interpretation of the charter should be made by which God's holy rites of worship and the true Christian religion should in any wise suffer change, prejudice, or diminution. All churches to be built were to be consecrated according to the laws of England; nor was there to be any taxation by the king.

### QUESTIONS.

1. What grants of territory in America were made by King James I. in 1606? Name the limits of the territory granted to the London Company. To the Plymouth Company.

2. When and where did the London Company plant a colony? What is said of it? Of Captain John Smith?

3. Of what character was the government of Virginia? What is meant by charter government? Proprietary government?

4. Give an account of Sir George Calvert. What led to his attempt to plant a colony in America?

5. Give an account of his visit to Virginia.

6. What attempts did he make to secure a patent? When did he die?

7. By whom was he succeeded? When was the patent granted? What was the territory named, and why?

8. How was Lord Baltimore's province described in the patent?

9. What did the grant include? What settlements had already been made within its limits?

10. Give the provisions of the charter in regard to English immigrants.

11. What were its provisions in reference to religion?

## CHAPTER II.

## SETTLEMENT OF ST. MARY'S.

**Maryland Plantation.** The colony of Maryland.

**Yo a com'i co.**

**New Albion.** Albion (from *albus*, "white") is the ancient name of Great Britain, said to have been given it on account of the lofty white cliffs

along the southern shores of the island.

**Earl Palatine.** An earl or count palatine was one possessing royal jurisdiction—that is, delegated by the king to hold courts of justice in his own province.

1. AFTER securing his patent for Maryland, Lord Baltimore at once began to make arrangements for



CECILIUS, SECOND LORD BALTIMORE.

planting a colony there. At a cost of nearly forty thousand pounds, he fitted out an expedition, which after many delays sailed from the Isle of Wight, November, 1633, in two small vessels, the Ark and the Dove. Lord Baltimore himself de-

cided to remain in England, but his brother, Leonard Calvert, accompanied the expedition as governor of the colony.

2. The colonists, about two hundred in number, were all English, and consisted of "gentlemen adventurers," with their servants and hired laborers.

They were principally of the Roman Catholic faith, and were accompanied by two Catholic priests, Fathers Andrew White and John Altham, with their attendants. After a long and perilous voyage, they arrived at the mouth of the Potomac River in March, 1634.

**3.** Before reaching the Potomac they touched at Jamestown. Here, George Calvert, another brother of Lord Baltimore, and one of the "gentlemen adventurers," remained and settled. While at Jamestown, Governor Calvert notified Claiborne that he was now a member of the Maryland plantation, and that consequently he must relinquish his relations with the Virginia colony. Claiborne laid this demand before the Virginia Council, by whom it was rejected.

**4.** After leaving Virginia the colonists sailed up the Chesapeake to the Potomac River. Proceeding up this beautiful stream, they landed on the 25th of March, 1634, at St. Clement's (now Blackiston's) Island, which at that time was more extensive in its dimensions than it is now. Governor Calvert here took formal possession of his new territory, and erected, with the appropriate ceremonies of his faith, a great cross hewn from the trunk of a tree.

**5.** Learning that many of the Indian tribes within the limits of his patent were subject to a great chief, or "emperor," who lived at Piscataway, eighty miles or more from the bay and nearly opposite what

is now Mount Vernon, Governor Calvert thought it best to visit him. The emperor, being apprised of his coming, collected five hundred warriors to oppose his landing; but, after an interview with the governor on board of his vessel, the emperor was so far conciliated that he said he would neither bid Calvert go nor ask him to stay, but that he might use his own discretion.

6. Returning, the governor went down the Potomac till he came to a river some twelve miles from the bay, which he named St. George's River (now St Mary's). Sailing up this river a short distance, he reached a village of the Yoacomico Indians, and, finding it an excellent site for a settlement, he purchased from them a tract of land containing about one hundred and fifty thousand acres. This tract, which he named Augusta Carolina, was paid for in cloth, axes, hoes, and knives.

7. The natives gave up a part of their village for the immediate use of the colonists, and agreed to leave the whole town at the end of harvest. Accordingly, the governor took formal possession on the 27th of March, 1634, and named the town St. Mary's. The settlers thus at once obtained houses, gardens, and fields. At the same time, the Indian men hunted deer and turkeys for them, and many of the women and children were domesticated with the English families and taught them how to make hominy and hoe-cake of their corn.

8. The Indians among whom the colonists settled

were of a gentle, friendly nature as compared with the fierce tribes of the Susquehannocks and Nanticoques, farther to the north. They lived principally in villages near the water-side, the men being engaged in hunting and fishing, while the women cultivated corn, tobacco, and other crops. Being treated with justice by the whites, they cheerfully submitted to their dominion. Whatever troubles arose on the part of the Indians were mainly due to the influence of those who were hostile to Lord Baltimore and his colony.

**9.** The country at the time of its settlement was thickly wooded. The forests abounded with deer, bear, wild turkeys, and other game, and the rivers swarmed with fish. The climate was moderate, and the soil fertile and easily brought under cultivation. These natural advantages, together with the just and liberal policy of Lord Baltimore toward the Indian tribes, and the spirit of religious toleration in which the colony was founded, seemed to assure peace and prosperity to Maryland.

**10.** In June, 1634, King Charles I. granted to Sir Edmund Plowden a patent of a territory which materially interfered with the one given by him to Lord Baltimore. It embraced the country north of a line running west from Cape May to the Potomac River, and was supposed to include the upper part of Kent Island, all of Maryland from near Annapolis northward, half of Delaware, and part of Pennsylvania.

11. This was the third grant that the king had made of the same territory. It was named New Albion, and Sir Edmund was constituted its earl palatine. He is said to have located his colony not far from Cape May; but he and his people were early cut off by the Indians, and we hear little afterward of New Albion.

### QUESTIONS.

1. Give an account of the expedition sent out by Lord Baltimore. Who was made governor of the colony?

2. What is said of the colonists? Of their faith? When did they reach America?

3. What occurred at Jamestown? What demand was made of Claiborne?

4. What course did the expedition pursue after leaving Virginia? Describe the landing at St. Clement's Island.

5. Give an account of Governor Calvert's visit to the "emperor" at Piscataway.

6. Give an account of the selection of a place of settlement. What was the tract named, and how paid for?

7. What course was taken by the Indians? When did Governor Calvert take formal possession of St. Mary's? Under what circumstances?

8. What is said of the Indians? Of their treatment by the whites?

9. Describe the country at the time of settlement. What seemed to assure peace and prosperity to the colony?

10. What grant was made by the king in 1634? What territory did it include?

11. What is said of this grant? Of its name? Of the attempt to plant a colony?



## CHAPTER III.

*PROGRESS OF THE COLONY.*

<b>Manorial.</b> Pertaining to a manor, or tract of land belonging to a nobleman or great personage.	<b>Quitrent.</b> A rent reserved in grants of land, by the payment of which the tenant is quieted, or quit, from all other service.
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1. Nor long after the establishment of the colony at St. Mary's the friendly relations with the Indians were disturbed for a short time, through the efforts, it was alleged, of William Claiborne, who had refused to recognize the jurisdiction of Lord Baltimore over the settlement at Kent Island. By judicious action confidence was restored, but in the mean time the settlers had built a log fort for their protection.

2. In this log fort the first legislative assembly of Maryland met, early in 1635. This assembly was composed of the freemen of the colony who felt called to legislate for themselves. They passed a number of laws, of which, however, no record exists. These laws were not confirmed by Lord Baltimore, who claimed the right under his charter to originate all laws for the colony, leaving it with the people to accept or reject them.

3. In April of this year a serious conflict occurred between the colonists of St. Mary's and the settlers of Kent Island. A small vessel sent out by Claiborne, under the command of Ratcliffe Warren, was

met in the Poconoke River by two armed boats despatched by Governor Calvert and commanded by Thomas Cornwaleys. A sharp contest ensued, which resulted in the killing of several men and the capture of Claiborne's vessel. This was followed by measures on the part of Governor Calvert to establish his authority on Kent Island.

4. In the mean time, Claiborne had fled to Virginia, and Governor Calvert sent to Governor Harvey



GOVERNOR CALVERT.

to demand his surrender as a rebel and a traitor. This request, however, was not complied with; and in 1637 Claiborne went to England, where he made a strong effort to secure the favor of the king in his behalf. In this he seems to have been in a measure successful, as the king

in 1638 enjoined Lord Baltimore not to disturb the Kent islanders while their case was being considered by the commissioners of plantations.

5. Lord Baltimore's "conditions of plantation," issued in August, 1636, assigned one thousand acres of land, with manorial privileges, subject to an annual quitrent of twenty shillings, to every immigrant from England bringing five men; if he brought in a less number, he should have assigned to him one hundred acres for himself, and one hundred for each

servant; and if he had a wife and children, one hundred acres for his wife and fifty for each child under sixteen years of age, subject to an annual quitrent of two shillings for every hundred acres.

6. Provision was subsequently made for those who wished to emigrate, but were unable to pay for their passage. Such persons bound themselves to redeem or repay their passage-money by four years of service,—afterward reduced to three. This service or labor was sold on their arrival to the highest bidder. At the expiration of the term of service each redemptioner, as he was called, received fifty acres of land, with supplies of corn, clothing, and farming-implements, and became a freeman.

7. The settlements extending south of St. Mary's very soon reached the creeks and streams in that direction. One of these was called Trinity Creek. It was six miles from St. Mary's, and on its banks was erected Trinity church, the first place of Protestant worship on the Western Shore. Afterward it was removed to St. Mary's, and the church there still bears the name of Trinity.

8. In 1636, St. Mary's town had fifty or sixty houses. That its growth was not more rapid may be accounted for by the fact that the planters resided on their plantations, many of which had good landing-places, from which their produce was shipped, and at which the goods received in return were landed; each plantation was, in fact, a little town. At this time, instead of cash rents, Lord Baltimore

substituted grain, making seventy pounds of wheat equal to twelve and one-half pence.

9. During the following year Lord Baltimore reorganized his government and added to his governor's Council John Lewger, Esq., whom he made secretary of state and keeper of records and receiver of rents. Lewger arrived in the colony on the 28th of December, 1637, and from this period date the regular records of the province.

10. Almost the first record is under the date of December 31,—that Kent Island had in some measure been reduced to obedience to Lord Baltimore. This submission, however, did not extend very far, as the followers of Claiborne, relying upon the success of his application to the king, refused to submit to the warrants of the Maryland courts of law which had been established on the island.

### QUESTIONS.

1. Give an account of the troubles with the Indians.
2. When was the first legislative assembly held in Maryland? What is said of its proceedings?
3. Describe the conflict on the Potomack River.
4. Give an account of Claiborne's subsequent movements.
5. What were Lord Baltimore's "conditions of plantation"?
6. What provision was made for the poorer classes of immigrants?
7. Give an account of the settlement at Trinity Creek.
8. What is said of the growth of St. Mary's in 1636? Of the payment of rents?
9. Give an account of the reorganization of the government in 1637.
10. What was among the first records? What was the state of affairs on Kent Island?

## CHAPTER IV.

*PROCEEDINGS OF THE ASSEMBLY.*

**Hundred.** A division or part of a county supposed originally to have contained a hundred families or freemen.

**Proxies.** A proxy is a person who is empowered to act for another; also a writing by which one person authorizes another to vote in his place.

**Indented Servants.** Those

bound out by indented writings.

**Privy Council.** A number of distinguished persons selected by a sovereign to advise in the administration of the government.

**Co ad ju'tor.** The assistant of a bishop or other prelate. A fellow-helper.

1. On the 4th of January, 1638, a new hundred, named St. George's, was erected on the west side of St. George's River. This was a Protestant hundred, and in it was erected a Protestant church, at Poplar Hill, where one still stands. At this date twelve of the seventeen gentlemen who embarked for Maryland in 1633 were either dead or had left the colony.

2. On the 25th of January the freemen of the province again met in assembly at the governor's summons. Those who could not attend in person at this time gave written authority, or "proxies," to others present to vote in their names. Some of the freemen in attendance had been brought over as indented servants, but had served out their time and become landholders. Of this class a number became leading citizens in the colony.

3. To this assembly Lord Baltimore had sent a code of laws to be passed; but they were rejected by a large majority, the people still holding that the right to make laws belonged to them. They, however, selected some of the laws and, with alterations, passed them. Meanwhile, Governor Calvert, having gathered a sufficient force, sailed up to Kent Island and fully established his authority there.

4. At an adjourned meeting of the Assembly, Claiborne's property on Kent Island was confiscated to Lord Baltimore's use, and shortly after a warrant was issued for the seizure of his "goods and chattels." In addition to this, Thomas Smith, one of Claiborne's officers in the battle on the Pocomoke in 1635, was tried for murder and sentenced to death; but it is not certain that the sentence was carried into effect. The acts of this Assembly, except those referring to Claiborne, were subsequently vetoed by Lord Baltimore.

5. Claiborne in his petition to the king claimed possession of Kent Island on the ground of his having originally discovered and settled it, previous to Lord Baltimore's grant, which by its terms included only the land described as "hitherto uncultivated." On the other hand, it was asserted that he had merely established a trading-post with the Indians, and not a settlement for the cultivation of the soil, and, further, that in any event the king had the right to grant the land to whom he pleased.

6. This latter view of the case was taken by the

Privy Council of England, to whom the matter had been referred. On the 4th of March, 1638, they decided that the title to Kent Island was in Lord Baltimore, it being within the bounds of his province. Claiborne, therefore, for the present, gave up the contest.

7. Early in July a difficulty occurred at St. Mary's in regard to religious matters. William Lewis, a leading Roman Catholic, was brought to trial and fined five hundred pounds of tobacco for a violation of the governor's proclamation prohibiting unreasonable disputations and offensive speeches concerning religious beliefs. These disputes had been carried to such an extent that this action was thought necessary; and the prompt approval of the sentence upon one of his own faith is an evidence of the impartiality of Governor Calvert.

8. The population of St. Mary's was now about three hundred, and that of Kent Island about two hundred. One of the priests and a coadjutor died this year, while the other priests did not escape what Father White calls the prevailing sickness. More than one-half, indeed, of the colonists of St. Mary's must have suffered from its attacks, and two of the remaining gentlemen who came over in 1634 died this year.

9. In February, 1639, another Assembly was convoked. It was composed of the governor and Council, deputies appointed by the freemen, and those whom the governor summoned individually. At

this time Lord Baltimore, moved by a desire for the welfare of his colony rather than for the maintenance of his individual rights, receded from his claim of proposing all the laws to be passed. He conceded this power to the Assembly, but reserved to himself the right to confirm or reject all laws passed by them.

**10.** At this meeting the acts of the last Assembly which had been vetoed were again passed, together with a number of others. Some of these acts indicated the existence of troubles with the Indians. These troubles seem to have been mainly with the more remote tribes to the north and north-east, who were the enemies of the peaceful natives among whom the colonists had settled and whom they had sought to convert and civilize.

**11.** The priests at this date had missions at Matapony on the Patuxent, at Piscataway on the Potomac, on Kent Island, and at St. Mary's. They had succeeded in converting many of the Indians to Christianity. The most important conversion was that of the great chief, or "emperor," at Piscataway, who, with his family, was publicly baptized in the presence of Governor Calvért and the leading colonists. This was accomplished by the ministrations of Father White, who had gained the confidence of the chief by bringing him safely through a dangerous illness.

**12.** In 1639, Claiborne returned from England. He found, however, that the governor of Virginia



had issued a proclamation forbidding the people of that colony to trade with the Indians of Maryland without a license from Governor Calvert. He then made a demand on the latter for the recovery of his debts, and also for his cattle and other property on Kent Island, but was informed that they had been confiscated to the use of Lord Baltimore. During the following years the Indians gave much trouble to the frontier settlements on both sides of the bay.

### QUESTIONS.

1. What is said of St. George's hundred? Of the original "gentlemen adventurers"?
2. Give an account of the Assembly which met in January, 1638.
3. What action was taken in regard to Lord Baltimore's code of laws? What was done by Governor Calvert?
4. What were the proceedings of the adjourned meeting? What action was taken by Lord Baltimore?
5. On what did Claiborne found his claim to Kent Island?
6. What decision was made by the Privy Council?
7. Give an account of the religious difficulty at St. Mary's.
8. What was the population of St. Mary's? Of Kent Island? What is said of the prevailing sickness?
9. Of what was the Assembly of 1639 composed? What was done by Lord Baltimore?
10. What was done by the Assembly? What is said of Indian troubles?
11. Give an account of the labors of the priests. What important conversion was made?
12. When did Claiborne return from England? What course did he pursue? What of the Indians?

## CHAPTER V.

## CLAIBORNE'S REBELLION.

<b>Puritan.</b> Originally a term of reproach applied to one who opposed the traditional and formal usages of the Church of England and advocated a simpler form of faith and worship.	<b>Block-houses.</b> Structures of heavy timber or logs for military defence. They were generally constructed with a projecting upper story, and had their sides loop-holed for musketry.
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1. IN 1642 civil war broke out in England between King Charles I. and the Parliament, and, of course, soon affected the colonies in America. The Puritan settlements in New England were in sympathy with the Parliament, while the people of Virginia were mainly royalists, or adherents of the king. In Maryland the people were divided; and although Lord Baltimore desired to remain neutral, yet, as a known friend of the king, he was made to feel the enmity of those who favored the Parliament. He met with opposition, also, on the part of many of the Protestants in the colony.

2. During this year Claiborne was appointed king's treasurer in Virginia for life. This appointment shows him to have been on the king's side in the contest, although we hear of him later as one of the Parliament commissioners. Lord Baltimore at this time desired to visit his province of Maryland, but was not allowed to leave England.

**3.** The General Assembly of Maryland in 1642 took away the power of adjournment from the governor, reserving the right to themselves. They also appointed Cornwaleys leader of an expedition against the Susquehannock Indians, who continued to harass the colonists. These Indians had been furnished with fire-arms by the Dutch, and so great was the alarm created by their depredations that on the 28th of August, Governor Calvert issued a proclamation directing the inhabitants of the more exposed districts to take shelter in their block-houses.

**4.** In view of the uncertainty of affairs, Governor Calvert early in 1643 decided to visit England to consult with his brother, Lord Baltimore. He left Captain Giles Brent, the commander of Kent Island, to act as governor in his absence. On his return, in September of the following year, he found the colony in a very disturbed condition. Claiborne had regained possession of Kent Island by force of arms, and Captain Richard Ingle, in command of an armed vessel, was threatening the safety of the colony at St. Mary's. The Indians also continued hostile.

**5.** Governor Calvert did what he could to restore order, but his enemies in the colony were constantly growing bolder and more numerous. He sent out an expedition to recover Kent Island, but it was unsuccessful. Emboldened by this failure, Captain Ingle, in the spring of 1645, made a sudden descent upon St. Mary's and captured it. The governor fled to

Virginia, where he was kindly received; and the priests and many of the Roman Catholics were banished from Maryland.

6. For nearly two years Maryland was ruled by Claiborne. But little account was kept of the affairs of the colony during that period, and most of the previous records were destroyed, causing much subsequent trouble and confusion in the public business. Toward the close of 1636, however, Governor Calvert, having succeeded in raising a strong body of troops, returned from Virginia, regained possession of St. Mary's, and re-established his government.

7. By the following April he had compelled the Kent Islanders to acknowledge his authority. Claiborne and his chief associates fled from the province, and the others who had taken part against Lord Baltimore were pardoned. Thus ended what is commonly known as "Claiborne's Rebellion;" and the subsequent defeat of the Indians in a great battle on the Eastern Shore restored for a time peace and security to Maryland.

8. Scarcely had this been accomplished when the province met with a severe loss in the death of Governor Calvert, who for fourteen years had labored with wisdom and prudence for the prosperity of the colonists. He expired peacefully at St. Mary's on the 9th of June, 1647, being the last but one of the original company of gentlemen who had embarked from England in 1633. Previous to

his death Governor Calvert had appointed Thomas Green as his successor.

9. On the 17th of August, 1648, Lord Baltimore appointed William Stone as governor. He was a Protestant, from Northampton county, Virginia, and engaged to bring into the province five hundred colonists of British or Irish descent. By his oath of office he was required to make no distinction of persons on account of religious belief, and to permit no one to be disturbed or molested in the free exercise thereof. Special reference was made to the Roman Catholics, who at that time were most in fear of persecution.

### QUESTIONS.

1. How did the civil war in England affect the colonies of New England and Virginia? The colony of Maryland?

2. What is said of the appointment of Claiborne as the king's treasurer? Of Lord Baltimore?

3. What was done by the General Assembly in 1642? What of the Indians?

4. What was done by Governor Calvert? What did he find on his return from England?

5. Give an account of the subsequent events.

6. What was the condition of Maryland under the rule of Claiborne? What occurred in 1636?

7. What followed during the succeeding year?

8. Give an account of the death of Governor Calvert. Who was appointed to succeed him?

9. What is said of the appointment of Governor Stone? What was required of him?

6. In July, 1652, the Susquehannock Indians, by treaty, gave up to the province all their territory on the west side of the bay from the Patuxent River to the Susquehanna, and all on the east side from the Choptank River to the North-east Branch, near the Susquehanna. This territory includes the present Talbot, Queen Anne, Kent, Howard, Carroll, Baltimore, and Harford counties, with the greater part of Cecil county.

7. In June, 1653, Governor Stone agreed to act under the commissioners, and was reinstated in office. Mr. Brooke, however, was dismissed by Lord Baltimore from his Council, and by his lordship's instructions Governor Stone reassumed the government in the name of the proprietary and demanded an oath of fidelity to Lord Baltimore from all the colonists. Upon this the commissioners again asserted their authority, and for a time there were two governments in the province.

8. In October the commissioners called an Assembly at Anne Arundel, excluding Roman Catholics and all who had borne arms against the Parliament. This Assembly, composed chiefly of men who had themselves sought safety from persecution under the liberal laws of Maryland, proceeded to deny the right of religious freedom to those who differed from them in faith. The new county of Calvert, which had been formed from Charles county and part of Anne Arundel, they called Patuxent; they also changed the name of Anne Arundel to Providence.

9. By the direction of Lord Baltimore, Governor Stone attempted to bring these two counties under his jurisdiction. In March, 1655, with a military force of about two hundred men, gathered at St. Mary's, he marched to Patuxent and took possession of the public records of the province. He also seized a quantity of arms belonging to the Puritans, and, placing his men on board of some vessels that were in the harbor, proceeded to Providence.

10. There a battle took place with the Providence men, under the command of Captain Fuller, on the neck of land south-east of where the State-house now stands. After a sharp action, Governor Stone was defeated, with the loss of fifty men killed and wounded and the rest taken prisoners. Some of the latter were tried, condemned, and executed. Thus ended the St. Mary's expedition, and for the time being Lord Baltimore's government in the province.

### QUESTIONS.

1. When was the Toleration Act passed? What did it provide?
2. Give an account of Governor Stone's colonists.
3. Give an account of Robert Brooke's colonists.
4. What ended the civil war in England? What was done by Parliament?
5. What was done by the commissioners?
6. What treaty was made in 1652? What territory was given up by the Indians?
7. What was done by Governor Stone in 1653? By Lord Baltimore? By the commissioners?
8. What is said of the Assembly called at Anne Arundel?
9. What expedition was undertaken by Governor Stone?
10. Give an account of the battle at Providence.

## CHAPTER VI.

*THE TOLERATION ACT.*

<b>Cromwell.</b> (Krüm'well or Kröm'well), Lord-Protector of the English Commonwealth. Born 1599; died 1658.	<b>Toleration.</b> In religious matters, the allowance of opinions and modes of worship that are not wholly approved.
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1. In the Assembly of 1649 the liberal policy of Lord Baltimore in reference to religious freedom was made the law of the land by the famous Toleration Act. This act provided that "no person or persons whatsoever within this province professing to believe in Jesus Christ shall from henceforth be in any ways troubled or molested, or discountenanced, for or in respect of his or her religion nor in the free exercise thereof, nor in any way compelled to the belief or exercise of any religion against his or her consent."

2. Of the five hundred colonists engaged to be brought in by Governor Stone, about one hundred Protestants—known as Puritans—came from Virginia, under the guidance of Richard Bennett. These settled on the Severn River, near where Annapolis now stands. They called the place Providence. The rest of the colonists were mainly of the Church of England. Most of them came from Virginia, and some from England. They settled on the bay and its tributaries south of the Severn down to the Patuxent, and soon had churches near St. Leon-



ard's Creek, at Herring Creek, and at South River. This region was called Anne Arundel county.

**3.** On the 20th of September, Robert Brooke, Esq., of England, received a commission from Lord Baltimore to be one of the Council of Maryland. He came over with his colonists the following year, and settled in the territory south and south-west of the Patuxent; from the bay, as far up that river as Benedict. The colonists were all of the Church of England, and with them came the first minister of that Church who settled on the Western Shore. This region was called Charles county.

**4.** The civil war in England was ended by the execution of King Charles I. in 1649 and the subsequent defeat of his son, Charles II., by the Parliamentary forces under Cromwell. In September, 1651, the government being in the hands of Parliament, its "Council of State" sent over commissioners to receive the allegiance of Virginia. Maryland was included with Virginia by the commissioners, among whom were William Clayborne and Richard Bennett.

**5.** In March of the following year these two commissioners came to Maryland and demanded the submission of the colony to the Commonwealth, as the government of England was then called. Governor Stone declined to act under their authority, and the direction of affairs was placed in the hands of a Council, of which Mr. Brooke was made president. Maryland thus for the second time came under the government of the Protestants.

## CHAPTER VII.

*GROWTH OF THE COLONY.*

<b>Ju'di ca ture.</b> The power of distributing justice by legal trial and determination.		<b>Nat'u ral ized.</b> Endowed with the rights and privileges of a native subject or citizen.
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**1.** THE conflicting parties in Maryland now appealed to Cromwell, who at this time was ruler of England under the title of "Protector of the Commonwealth." The matter was referred by him to the commissioners of trade and plantations, who in 1656 decided that the province should be restored to Lord Baltimore. The latter appointed Josias Fendall governor, and Philip Calvert, a brother of the proprietary, was made secretary of the province and a member of the governor's council.

**2.** The government at Providence at once arrested Fendall and threw him into prison. Upon taking an oath not to disturb the existing government he was released, and soon after sailed for England. He returned in 1657, bringing with him the new great seal of the province, and on the 24th of March, 1658, his authority was formally acknowledged by Captain William Fuller and others on behalf of the government at Providence, which had been obliged to come to terms with the proprietary.

**3.** Just previous to the last date St. Mary's county was divided, and that part of it lying north of the

junction of the Wicomico River with the Potomac was called Charles county. A few months afterward the name of Providence county was changed back to Arundel, and that of Patuxent to Calvert. In this year, also, the Quakers, who appear to have gained some footing in the colony, were charged with disturbing the government in carrying out the principles by which they professed to be guided, and were ordered to leave the province, under penalty of being treated as rebels and traitors.

4. In August, 1659, the Quakers, having paid no attention to the decree of 1658, were ordered to be banished, and it was directed that if found in the province again they should be whipped thirty lashes at every constable's until they were out of it. No person was permitted to harbor or conceal them, under penalty of a fine of five hundred pounds of tobacco. This decree, like the former, was never severely enforced; and, though some of the Quakers were imprisoned, the sect greatly increased in numbers and prosperity.

5. In the year 1659 the House of Delegates, or Lower House of the General Assembly, declared themselves to be the Assembly and highest court of judicature, without dependence on any other power. They set aside the authority of Lord Baltimore, and demanded that the governor and Council should no longer sit as an Upper House. Governor Fendall and two of the Council gave in their adherence, and took seats in the Lower House. The governor

then became its president, and, resigning his commission from Lord Baltimore, accepted a commission from the Assembly.

6. This, in due time coming to the ears of Lord Baltimore, he dismissed Fendall and appointed his brother, Philip Calvert, governor. Two months later he ordered the arrest of Fendall, who was found guilty of treason and sentenced to be banished from the province and to have his estates confiscated. He was afterward pardoned, a part of his estate, however, being confiscated. The two members of the Council who supported his cause received similar treatment. Charles II., son of Charles I., was now on the throne of England.

7. In 1661 settlements were made in the lower parts of the Eastern Shore from the adjoining counties of Virginia. These settlers were adherents of the Church of England. A few years afterward they were joined by a considerable number of Presbyterians, who had emigrated from Scotland; and the portion of Maryland thus settled may be regarded as the cradle of Presbyterianism in the United States. During this and the three following years the Indians continued their depredations.

8. In 1662, Philip Calvert was succeeded in the government by Lord Baltimore's son Charles. The population of the province was now nearly sixteen thousand. During the administration of Charles Calvert, Maryland prospered greatly. Large numbers of immigrants from different countries settled

within its limits, and agriculture and commerce flourished. In 1666 the settlements on the Eastern Shore, near Virginia, were erected into a county, which was named Somerset, in honor of Lady Mary Somerset, a sister of Lord Baltimore.

**9.** As showing not only the influx of immigrants, but also the various nationalities of which the population of the province was composed, it may be here stated that in 1666 persons from France, Bohemia, and Spain, and subsequently from Holland, Italy, and other European countries, were naturalized, and by act of Assembly made citizens. This act was the first of the kind passed by any American legislative body.

**10.** During the year 1666 a general treaty of peace was made with the Indian tribes in the province. It provided that the proprietary should have the right to appoint the "emperor" of Piscataway, and to arrange the boundaries of the sections occupied by the various tribes. It also provided that the Indians should be protected in their rights and privileges, and prohibited them from making war or peace without the consent of the governor.

**11.** As the English found it difficult to distinguish one Indian from another, it was agreed that no Indian should come into any English plantation painted, and that all Indians should lay down their weapons when within three hundred yards of a settler's clearing and call aloud to give notice of their approach; failing to do this, they should be considered as enemies.

**12.** In 1674, John Connor was convicted and condemned for witchcraft, conjuration, sorcery, or enchantment. The Lower House petitioned for his pardon, which was granted, with the proviso that the sheriff carry him to the gallows, and, the rope being round his neck, it there be made known to him how much he was beholden to the Lower House for its intercession. This is the only case of prosecution for this cause that is met with in the history of Maryland. During this administration we find the first legislation in reference to negro slavery.

### QUESTIONS.

1. How were the conflicting claims of the two governments in Maryland settled?
2. What was done by the government at Providence? By Governor Fendall?
3. When and where was Charles county formed? What changes were made? With what were the Quakers charged?
4. What is further said of the Quakers?
5. What action was taken by the House of Delegates in 1639? By Governor Fendall?
6. What was done by Lord Baltimore? How were Fendall and others punished? Who was now king of England?
7. What settlements were made in 1661? What of the Presbyterians? Of the Indians?
8. Who became governor in 1662? What was the condition of the province? What county was formed in 1666?
9. What is said of the nationality of the immigrants?
10. Give an account of the treaty of 1666.
11. What was required of the Indians?
12. Give an account of the witchcraft case. What is said of negro slavery?

## CHAPTER VIII.

*DEATH OF CECILIUS CALVERT.*

**Shell-money.** Wampum; small beads made of shells, and used by the North American Indians as money, and also for ornament.

**Barter.** The exchange of one commodity for another, in distinction from a sale or purchase in which money is paid.

**Sedition.** The raising of commotion in a state, not amounting to insurrection.

**Quo Warranto** (kwō wōr ran'-tō). A writ brought before a proper tribunal to inquire by what warrant or authority a person or corporation exercises certain powers.

1. THE staple production of Maryland at this time was tobacco. Money was naturally scarce in a new country, and even the "shell-money" of the Indians circulated to some extent among the colonists. Trade was largely conducted by barter, and public dues were paid in produce. Lord Baltimore had coined and sent over a quantity of silver pieces, which went into circulation in 1662; but for many years the chief substitute for currency was tobacco, which ranged in value from a penny to twopence a pound.

2. In the summer of 1675 several murders were committed by the Indians, which led to a joint expedition on the part of Maryland and Virginia against the Susquehannocks. These Indians had been driven by the Senecas from their homes, at the head of Chesapeake Bay, to the banks of the Potomac. They professed to be friendly to the whites, and asserted

that the murders had been committed by other tribes. Their fort was attacked, however, and a number of Indians were slain, the remainder escaping at night, after a siege of six weeks' duration. Retreating southward, they destroyed a number of plantations and killed about sixty of the Virginia colonists.

3. On the 3d of November, 1675, Cecilius, Lord Baltimore, died, aged about seventy. He was succeeded in his title and estates by his son, Charles Calvert, who for the preceding thirteen years had been governor of the province. During his term of office the colony had prospered, the population at this time being estimated at thirty thousand.

4. In 1677 the bishop of London, acting on information received from the province, stated, in a memorial to the Privy Council, that in Maryland there was no settled maintenance for the ministry of the Church of England, the want whereof occasioned in many places a total absence of ministers and divine worship, except in the case of the Roman Catholics, who were held to amount to not more than one in a hundred of the people.

5. Lord Baltimore, who was at that time in England, was summoned to answer the complaint. He reminded the Council of the provisions of the Toleration Act, and that under its operation Maryland had been settled by people of various denominations. He asserted that three-fourths of the inhabitants of the province consisted of Presbyterians, Independents, Baptists, and Quakers, and declared that it would



be impossible to pass a law which should compel the majority of the people of Maryland to maintain ministers of a persuasion contrary to their own.

6. Having silenced this and other complaints, Lord Baltimore returned to Maryland, and in 1680 resumed the management of his government. His efforts for the welfare of the colonists led the Assembly to ask his acceptance of one hundred thousand pounds of tobacco as a token of gratitude; but he refused, on the ground of its being too great a charge on the province.

7. About this time Josias Fendall, a former governor of the colony, assisted by John Coode, taking advantage of the excited state of public feeling in England against the Catholics, endeavored to stir up a rebellion in Maryland against the proprietary, and to overthrow his government. In this they were not successful, and in 1681 they were arrested and tried for sedition. Fendall was convicted, and punished by fine and banishment; Coode, however, was acquitted.

8. In the session of the Assembly of November, 1682, the following circumstance occurred, which may give some idea of the temper and customs of the times. The Lower House refused to receive messages from the Upper House by its members having their swords on; the Upper House then voted that no one from the Lower should come in with a message without taking off his hat. This was aimed at some of the Quakers. The controversy continued for some time, but finally the Upper House yielded.

9. During the year 1682, William Penn came over to his province of Pennsylvania. He had an interview with Lord Baltimore in regard to the boundary question, the latter insisting that his jurisdiction extended northward to the 40th parallel, while Penn claimed a wide strip of territory south of this. The two proprietaries failing to settle the dispute amicably, Penn went to England to have the matter adjusted there, and eventually secured a decision in his favor, although many years elapsed before the boundary question was finally settled.

10. In 1684, Lord Baltimore was ordered by the king to put all the offices in his province into the possession of the Protestants; but he returned to England the same year without doing so, leaving the government in the hands of a commission, of which William Joseph was president, under the nominal governorship of Benedict Leonard Calvert, the infant son of the proprietary. In 1685, Charles II. died, and was succeeded by his brother, the duke of York, under the title of King James II.

11. In April, 1687, a writ of *quo warranto* was issued by King James, requiring Lord Baltimore to show cause why his charter should not be forfeited. Before the proceedings could be terminated, King James himself was deposed, and his son-in-law, William, prince of Orange, and his wife, Mary, the daughter of the exiled king, became king and queen of England. The charter was thus saved for a time to the proprietary.

## QUESTIONS.

1. What was used by the colonists as currency?
2. Give an account of the expedition against the Susquehannock Indians.
3. When did Cecilus, Lord Baltimore, die? By whom was he succeeded?
4. What charge was made by the bishop of London?
5. How was it met by Lord Baltimore?
6. How did the Assembly show its appreciation of Lord Baltimore's efforts for the welfare of the colony?
7. Give an account of Fendall and Coode's attempt to incite rebellion.
8. What singular proceedings of the Assembly of 1682 are noted?
9. Give an account of William Penn's interview with Lord Baltimore.
10. What order was received by Lord Baltimore in 1684? What was done by him?
11. What writ was issued by King James in 1687? What prevented further proceedings?

## CHAPTER IX.

*THE PROTESTANT REVOLUTION.*

**Impeachment.** The act of **Ryswick** (riz'wik). A village charging an official with mis- of the Netherlands, in South behavior in office. , Holland, two miles south-east  
**Wi com'i co.** | of The Hague.

1. On the 1st of August, 1689, occurred what is known as the Protestant revolution in Maryland, when Lord Baltimore's officials surrendered to the Protestants in arms; and the government passed into the hands of a Protestant association. This was

the third time that the Protestants had come into its possession during the fifty-five years of its existence.

2. Previous to this, much dissatisfaction had existed in the province, growing mainly out of the difference in religious belief between the adherents of the proprietary and those of the Protestant faith, the latter by this time being largely in the majority. The Lower House in their last session had presented a long list of grievances, and had even prepared articles of impeachment against Lord Baltimore.

3. On the 26th of August, 1689, the Protestant association convened an assembly at St. Mary's. They issued an address to King William and Queen Mary, in which they asserted that their action in taking possession of the government was in consequence of the oppression of Lord Baltimore and his agents, who, they alleged, were dangerous to the existence of the Protestant religion in Maryland. They therefore entreated their Majesties to assume the government of the province.

4. In 1691 the king and queen appointed Lionel Copley governor, and Maryland became a royal province. On the arrival of Governor Copley, in 1692, he called a meeting of the General Assembly; and at this Assembly the second act passed was one making the Protestant religion of the Church of England the established religion of Maryland. Under this law the ten counties were divided by the county justices and freeholders into thirty parishes.

5. Governor Copley died the following year, and

was succeeded by Sir Francis Nicholson. In October, 1694, the seat of government was transferred from St. Mary's to Annapolis, where it still continues. This removal was fatal to the prosperity of the former town, which gradually fell into decay. Some trouble was caused at this time by the Jacobites, the adherents of the exiled King James, who were considerable in numbers and influence.

6. In 1694 the Assembly passed an act for the maintenance of free schools. This was the first act of the kind in the history of the province. It was re-enacted the next year, and for the support of the schools duties were laid on certain exports, especially furs, in which the colonists had a large and profitable trade. The first important school established under this act was the King William's Free School, at Annapolis, in 1696.

7. A remarkable pestilence broke out in 1694 among the cattle and hogs of the province. The governor ordered returns to be made to him by the sheriffs of the counties of the numbers thus taken off. According to these returns, there had died 25,429 cattle and 62,373 hogs, being an average of three and one-half to each inhabitant, or more than seventeen to every family, in the province. In December of this year Queen Mary died, and her husband reigned alone, under the title of William III.

8. On the 20th of May, 1695, proclamation was made of an agreement entered into with Captain Perry to be post between the Potomac and Philadel-

phia eight times a year. Starting from Newton's Point, Wicomico county, on the Potomac, he was to go by way of Benedict, Leonard Town, Annapolis, Kent Island, Oxford, and Newcastle, Delaware. This was the earliest mail-route in Maryland. It connected Williamsburg, the seat of government in Virginia, with Philadelphia.



WILLIAM AND MARY.

**9.** In 1697 the war between England and France commonly known as King William's War was ended by the Treaty of Ryswick. During this war the colonies of New York and New England suffered severely from the French, who had possession of Canada, and from their Indian allies. The Southern colonies, including Maryland, escaped active hostilities, but were called on to furnish men and money for the assistance of their less fortunate neighbors.

**10.** In 1697 the king presented to Annapolis a valuable library, the remains of which are now in the library of St. John's College. On the burning of the

State-house, in part, in 1704, the library was removed to King William's School, and the books that remained were transferred to its successor, St. John's, when that came into existence, in 1784. Many of those rare and curious old works are still to be found scattered about the State.

**11.** In 1697 the governor received from the king a command to send him all the wild deer, turkeys, partridges, mocking-birds and other song-birds, and wild animals that could be procured. It was therefore ordered that as many as possible be obtained as a token of gratitude to his Majesty, who had done so much for his subjects in Maryland. The mocking-birds appear to have specially pleased King William, as the next year he sent for a hundred more.

### QUESTIONS.

1. What is said of the Protestant revolution in Maryland?
2. What dissatisfaction existed? What was done by the Lower House?
3. What action was taken by the Protestant association?
4. When did Maryland become a royal province? What was done by the Assembly?
5. Who succeeded Governor Copley? When was the seat of government removed? What was the effect on St. Mary's?
6. Give an account of the first legislation for free schools.
7. What is said of the pestilence of 1694?
8. Describe the post-route established in 1695.
9. What was the effect on the colonies of King William's War?
10. Give an account of the library presented to Annapolis.
11. What requisition was made by King William in 1697?

## CHAPTER X.

*MARYLAND RESTORED TO LORD BALTIMORE.*

<b>Com'mis sa ry.</b> One to whom is committed some charge, duty, or office by a superior power.	<b>Lev'ies.</b> Requisitions for troops or assessments of taxes, made by authority or by force for the public service.
<b>Dissenters.</b> Those who separate from the service and worship of an established Church, especially of the Church of England.	<b>Disfranchised.</b> Dispossessed of the rights of a citizen, or of a particular right, such as that of voting, holding office, etc.

1. IN 1698 a spring having medicinal properties was discovered in St. Mary's county, at which a great many poor people soon assembled, hoping to be benefited by the use of its waters. Being informed of this, Governor Nicholson appointed a man to read prayers there every day, sent the people Bibles and prayer books, and, besides other provisions, gave them a lamb every week. The place is now known as Charlotte Hall. Soon after this, Nicholson was appointed governor of Virginia, and was succeeded in Maryland by Nathaniel Blackistone.

2. In 1699 the State-house was struck by lightning while the Assembly was in session. The flag-staff was splintered, the vane shaken down, the flag burnt, the door-posts and window-frames shattered, and several of the delegates struck down, one of them being killed. A shower of rain falling immediately, the State-house was saved by the exertions of the mem-



bers. A public thanksgiving was ordered soon afterward. During this year the frontiers of Maryland, Pennsylvania, and Virginia were threatened with an Indian war.

**3.** In 1700 the Rev. Dr. Bray, the bishop of London's commissary for Maryland, arrived in the province. Soon after, he held a visitation of the clergy at Annapolis, at which were present eighteen clergymen, ministering in twenty-one of the thirty parishes. At this meeting was originated the first missionary effort made by the Church of England on this continent. Not long after this meeting the commissary returned to England, for the purpose of furthering the interests of the Maryland Church.

**4.** In 1702, King William died, and, leaving no children, was succeeded by his sister-in-law, the second daughter of King James II., under the title of Queen Anne. A second war with France, known as Queen Anne's War, began this year, and, as before, the colonists in America were soon involved. A requisition for supplies from Maryland in aid of New York was met by the answer from the Lower House of Assembly that the Indians were threatening the frontiers of Maryland, their depredations in the last few years having cost the province one hundred thousand pounds of tobacco, and that the colonists were obliged to defend themselves from the attacks of French armed vessels in the Chesapeake.

**5.** It was stated in addition that to raise supplies by a money-tax was impossible, few of the families

having so much as five shillings of ready money, and the greater part being without the means to raise it; that heavy expense had been incurred, which had not yet been discharged, in building a State-house, a free school, a church, and a prison at Annapolis; that none but laborers or the best men of the province ought to be sent; and that if they were sent it would lessen the ability to meet the public expenses. In view of this state of affairs, the Assembly asked to be excused from the requisition, and to be permitted to employ such money and troops as they could raise in the defence of their own province.

6. In 1702 the provisions of the English Toleration Act were extended to Protestant dissenters, and the Quakers were declared to be entitled to the benefit of the English law permitting their affirmation to be received, instead of an oath. At this time the governor's chair was provisionally filled by Thomas Tench, a member of the Council. He was succeeded in 1703 by Governor John Seymour, who died in 1709. Edward Lloyd, the president of the Council, then administered the government until the arrival of Governor Hart in 1714.

7. In 1710 many German immigrants came into the province, and they appear to have settled in what afterward became Frederick county, where some years later they were joined by a large number of German and Swiss Protestants, known throughout the colony as "Palatines." In order to encourage their industry, they were released for the time being

from the payment of their assessment in all public levies. From this class of immigrants have sprung the various German denominations of Christians now existing in Maryland.

**8.** In February, 1714, Charles, Lord Baltimore, died, aged eighty-four, and was succeeded by his son, Benedict Leonard Calvert, who had conformed to the Church of England. The new proprietary survived his father little more than a year, dying in April, 1715, somewhat over thirty years of age. His title and estates descended to his minor son, Charles Calvert, under the guardianship of Lord Guilford.

**9.** On the death of Queen Anne, in 1714, George I. became king of Great Britain. He restored the province of Maryland, with all the rights and privileges of the original charter, to young Lord Baltimore, who had been educated a Protestant. Thus ended the royal government of Maryland, after an existence of more than twenty years. During this time two new counties had been formed, and the population had increased to forty-four thousand.

**10.** On the restoration of Lord Baltimore, Governor Hart, the last royal governor of the province, was continued in office. The Roman Catholics now claimed an equal part in the government with the Protestants. The governor, however, decided that their claim was contrary to the terms of the charter. In this he was sustained by the General Assembly, and the Roman Catholics consequently remained disfranchised.

11. Annapolis had now been the seat of government for more than twenty years. It contained a number of fine residences, and was becoming a centre of refinement, and even of luxury. A curious market-regulation in 1717 ordered that purchases of provisions, oysters excepted, should be made at the *flagge-staffe* on the State-house hill until such time as there should be a market-house built, under a penalty of sixteen shillings eight pence, current money. A drum-beat gave notice of the opening of the market, on Wednesday and Saturday mornings, and no person was permitted to buy anything until the drum had ceased beating.

### QUESTIONS.

1. What is said of the medicinal spring in St. Mary's county? What was done by Governor Nicholson?
2. What occurred in 1699?
3. What is said of Dr. Bray? What was organized at the meeting of the clergy in Annapolis?
4. By whom was King William succeeded? What ensued? What was done by the Upper House?
5. What further statement was made in regard to the condition of the colony?
6. How were the provisions of the Toleration Act extended? Who filled the governor's chair from 1703 to 1714?
7. What is said of the German immigrants?
8. Who succeeded Charles, Lord Baltimore? What is said of the new proprietary?
9. What was done by King George I.?
10. Who was the last royal governor? What was claimed by the Catholics? What was the result?
11. What is said of Annapolis? Of the market-regulations?

## CHAPTER XI.

## ADJUSTMENT OF BOUNDARIES.

- Preston.** A town of England, in the county of Lancaster, situated on the river Ribble, twenty-eight miles north-east of Liverpool.
- Chancery.** The highest English court of judicature, next to the Parliament.
- Tangent.** Touching at a single point.
- Arms.** The armorial ensigns of a family, consisting of figures and colors, borne in shields, banners, etc., as marks of dignity and distinction, and descending from father to son.

1. IN 1721 a cargo of Scotch prisoners arrived in Maryland. They had been taken six years before, at the battle of Preston, when fighting for the restoration to the throne of Great Britain of James Stuart, son of the deposed king, James II. A still larger number were brought out after another defeat, thirty years later. They were known as the "king's passengers," and many of them became valuable citizens. The Scotch have formed a large element of the population of Maryland, and have been noted for their energy and success in life.

2. The interest in public education was revived in 1723, and a number of prominent gentlemen throughout the province were appointed trustees and school-visitors, with power to establish schools in the various counties. These schools were accordingly established and endowed after the manner of King William's School at Annapolis, created under the act of 1692.

3. In 1727 the *Maryland Gazette*, the first newspaper of the province, was established at Annapolis by William Parks. At that time there were but six other newspapers published in America. The *Gazette* was discontinued in 1736. In 1745 it was revived under the management of Jonas Green, and it still continues in existence, "the flourishing patriarch of American journals."

4. About the year 1727 the planters of Maryland were so much annoyed by the depredations of the crows and squirrels upon their grain-fields, and of the wolves upon their live-stock, that it became necessary to ask for legislative action for protection against their ravages. Accordingly, it was enacted that the head of every family should be required to produce every year three crows' heads or three squirrels' scalps for each taxable member of the family. For a wolf's head a reward of two hundred pounds of tobacco was offered.

5. In 1729 the town of Baltimore was created by an act of the General Assembly. It was located at the head of Patapsco Bay, about twelve miles from the Chesapeake, where for more than sixty years scattering settlements had existed. In 1730 sixty acres of land were purchased of Charles and Daniel Carroll and divided into acre-lots. The north-western corner-lot is that on which St. Paul's church now stands. For some years the growth of Baltimore was slow, but its commercial advantages finally attracted population, and its limits became extended

by the incorporation of adjoining settlements. At the beginning of the Revolution it contained about six thousand people, and from this time it rose rapidly in importance.

6. The year 1734 was the hundredth year of the existence of Maryland as a province. Notwithstanding the wise and liberal policy of the founders, it had not escaped troubles from without and dissensions among its own people. In spite of these, however, the colony had prospered. It possessed great natural advantages, and its settlers were not adventurers in search of fortune, but men of various beliefs and nationalities seeking peaceful and secure homes in the New World.

7. The population at this time numbered about one hundred and twenty thousand, apportioned among some twenty towns and five thousand plantations. Over one hundred vessels were employed in trade, a large portion of which was in tobacco, which was still the staple of Maryland and the general currency of the province. The records ten years later show an exportation of fifty thousand hogsheads of tobacco. Wheat and Indian corn were also exported in large quantities.

8. In 1735 the border difficulties which had long existed between Pennsylvania and Maryland culminated in tumults, violence, and even bloodshed. Reference has already been made to the conflicting claims growing out of the terms of the charters granted to William Penn and to Lord Baltimore, and to the

earlier attempts to adjust these claims. In 1732 commissioners had been appointed to settle the boundary question, and in 1735 the king directed proceedings in chancery to be instituted. In the mean time, land-grants had been made by both the proprietaries in the disputed districts. The chancery decision was not obtained till 1750, and was in favor of the Penn family.

**9.** The boundaries of Delaware, as agreed upon by the commissioners in 1732, were as follows: A line drawn due west from Cape Henlopen to the centre of the peninsula, thence northward to the most western point in the circumference of a circle of twelve miles' radius, having the town of Newcastle for its centre. From this tangent-point the line ran due north to a parallel passing fifteen miles below the most southern limit of Philadelphia. Here the east-and-west boundary-line between Pennsylvania and Maryland—known as Mason and Dixon's line—commenced.

**10.** Charles Mason and Jeremiah Dixon were celebrated mathematicians and astronomers. They arrived in Philadelphia in November, 1763, and at once began to lay out the boundaries. Having fixed the point of intersection of the Pennsylvania, Delaware, and Maryland lines, they continued their line due west two hundred and forty-four miles. At the end of every fifth mile a stone was placed, graven with the arms of the Penn family on one side and those of Lord Baltimore on the other. The intermediate miles were denoted by smaller stones having an



M on one side and a P on the other. The work was completed in December, 1767.

11. It will be seen from the map that the present limits of Maryland differ considerably from those claimed under the charter granted to Lord Baltimore. The territory surrendered by Maryland includes the whole of Delaware and a wide strip of Pennsylvania, comprising nearly two million acres. In addition to this, Maryland still claims half a million of acres, now included in West Virginia, between the North and the South branch of the Potomac. The southern boundary-line between Maryland and Virginia was finally settled in 1877 by a joint commission appointed by the two States, who established the line claimed by the former State.

### QUESTIONS.

1. Give an account of the "king's passengers."
2. What was done in 1723 in regard to public education?
3. Give an account of the Maryland *Gazette*.
4. What was done in reference to the depredations of crows, squirrels, etc.?
5. Give the history of Baltimore.
6. What is said of Maryland in 1734?
7. Of its population and trade?
8. Give some account of the border difficulties between Maryland and Pennsylvania.
9. Describe the boundary-lines arranged in 1732.
10. Describe the work of Mason and Dixon.
11. What territory was surrendered by Maryland? When and how was the southern boundary-line between Maryland and Virginia settled?

## CHAPTER XII.

## THE FRENCH AND INDIAN WAR.

<b>Aix-la-Chapelle</b> (aiks-lah-shah-pel'). A frontier city of Rhenish Prussia, forty miles west-south-west of Cologne.	<b>Duquesne</b> (du-kain').
<b>Conecocheague</b> (kon-e-ko-cheeg').	<b>Prime Minister.</b> The responsible head of a ministry or executive government; applied particularly to that of England.

1. In 1744 war again broke out between England and France. This war—historically known as King George's war—may be considered the commencement of the grand final struggle, of nearly twenty years' duration, for supremacy in America. Beyond some depredations of French privateers upon the plantations along the Chesapeake, Maryland was not involved in the conflict. The Treaty of Aix-la-Chapelle, in 1748, put a stop to active hostilities, which, however, were renewed a few years later.

2. From the answers to queries of the Board of Trade and Plantations in 1748, we find that there were about fifty vessels owned by Marylanders engaged in trade; that there were a great many iron-mines, some of which were very productive; that eight furnaces made pig-iron, and nine bar-iron; and that the white population, which had been much increased by the influx of the Germans, numbered ninety-four thousand, and the black thirty-six thousand.

3. The number of Indians had greatly decreased. They had before this begun by degrees to remove from the province, and during 1748 the great body of the Nanticokes departed from the Eastern Shore and sought homes in Pennsylvania and New York, near the head-waters of the Susquehanna. Others went to Canada. In accordance with a singular custom, they carried with them the bones of their dead. The Choptank Indians remained in the province until they finally became extinct.

4. In 1751, Charles, Lord Baltimore, died. In 1727 he had been for a year governor of Maryland, and again from 1733 to 1736. During his proprietorship Worcester county had been erected out of Somerset in 1742, and Frederick county out of Prince George in 1748. He was succeeded by his son Frederick, who was the sixth and last Lord Baltimore.

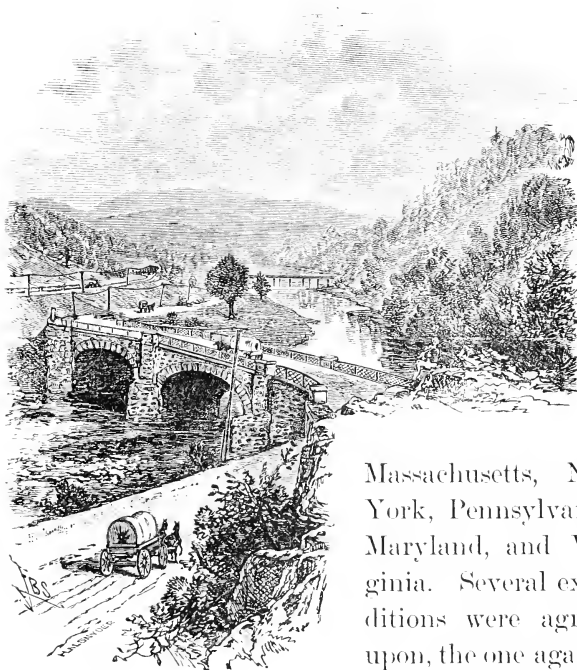
5. In answer to further inquiries by the Board of Trade and Plantations in 1754, the number of white inhabitants was stated to be one hundred and ten thousand, and that of the blacks forty-six thousand. Since 1748 two thousand eight hundred Germans had been brought into the province, and five thousand immigrants from Great Britain and Ireland. Of the Indians of the province, there remained only one hundred and forty. According to the returns of the sheriffs to the governor, the Roman Catholics at this time constituted one-twelfth of the population, and their landed estate was estimated to be one-thirteenth of the whole.

6. The French in Canada had at this time undertaken to establish communications between Quebec and New Orleans along the Alleghany, Ohio, and Mississippi rivers. They claimed all the country west of the Alleghany Mountains, and sought to protect their claim by a line of forts and military posts along the above-named rivers. The English also claimed the same territory, and grants of half a million acres near the head-waters of the Ohio River were made by the king to a company called The Ohio Company. The latter found that the French were encroaching on this territory, and measures were taken to build a fort at the junction of the Alleghany and the Monongahela. The French promptly interfered, drove the English away, and finished the fort themselves, calling it Fort Duquesne.

7. This was before the war now known as the French and Indian war was formally declared between England and France. The province of Maryland raised two companies of soldiers for the assistance of Virginia and for the protection of her own borders. The command of all the forces raised to oppose the French on the Ohio was conferred by a royal commission on Governor Sharpe. Fort Cumberland, on the frontier, was built to protect the border settlements, and the Assembly voted six thousand pounds for the defence of their own and the neighboring province. Provision was also made for any of the soldiers who should be wounded in the service of Maryland.

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8. In 1755, General Braddock, as commander-in-chief, was sent out to America with two regiments of British troops. On his arrival at Alexandria, Virginia, he held a conference with the governors of



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Massachusetts, New York, Pennsylvania, Maryland, and Virginia. Several expeditions were agreed upon, the one against Fort Duquesne being led by Braddock himself. In June he left Fort Cumberland with a force of nearly two thousand regular and colonial troops.

9. General Braddock, though a brave officer and experienced in European warfare, had but little knowledge of the Indian methods of fighting. He

rejected with scorn the advice of Colonel George Washington, who was one of his aids, and who had experience in warfare against the savages. On the 9th of July, 1755, when within a few miles of Fort Duquesne, the troops were assailed by a small force of French and Indians in ambush, and sixty-four out of eighty-five of the officers, with nearly one-half of the men, were killed or wounded. General Braddock himself was killed, and the remnant of the army, saved by the skill and courage of Washington, finally reached Philadelphia.

**10.** The French and Indians followed up their victory by invading and laying waste the frontier settlements of Pennsylvania, Maryland, and Virginia. Universal terror prevailed, and in Maryland the panic extended even to the Chesapeake. Upward of twenty plantations were devastated and their occupants massacred or carried into captivity. The savages came within sixteen miles of Frederick. From that place west to the Conecocheague River, but two families remained in 1756.

**11.** For the better protection of the people of Maryland, Fort Frederick was built in 1756, near where the town of Hancock now stands. During the same year war was formally declared between England and France, and several expeditions were sent against the enemy, but without success. In fact, the only success of the year was the defeat of the Indians at Kittanning and the destruction of their town. The operations of 1757 were also disastrous to the Eng-

lish; and so great was the dissatisfaction of the nation with the conduct of the war that a new administration was formed, with William Pitt as prime minister.

**12.** Pitt began his work by persuading the colonies to raise twenty-eight thousand men, to co-operate with twenty-two thousand sent from England. In November, 1758, a portion of these troops, mainly from the colonies, moved against Fort Duquesne, which the enemy were forced to abandon. The fort was occupied by the English and colonial troops, and named Fort Pitt. Maryland and the adjoining colonies were at once relieved from the burden of war, and Governor Sharpe, by proclamation, ordered a public thanksgiving.

### QUESTIONS.

1. What war broke out in 1744? How was Maryland affected? When and how was the war closed?
2. What is said of Maryland in 1748?
3. Give an account of the removal of the Indians.
4. When did Charles Lord Baltimore, die? What occurred during his proprietorship? Who succeeded him?
5. Describe the state of affairs in Maryland in 1754.
6. What efforts were made by the French to secure the territory claimed by them? What was done by the English?
7. What was done by Maryland?
8. Give an account of the movements of General Braddock.
9. What is said of General Braddock? Describe his defeat.
10. What results followed?
11. What was done in 1756? In 1757?
12. What measures were taken by Pitt? Give an account of the second expedition against Fort Duquesne.

## CHAPTER XIII.

## TAXATION OF THE COLONIES.

<b>Null and Void.</b> Of no legal or binding force or effect whatsoever.	<b>Circular Letter.</b> A letter addressed to a number of persons having a common interest.
<b>Dead Letter.</b> That which has fallen into disuse.	<b>Prorogued.</b> Adjourned for an indefinite time.

1. THE tide had now turned in favor of the English, and success followed success, until the capture of Quebec, in 1760, virtually closed the war in America. In 1763, by the Treaty of Paris, France gave up all her American possessions east of the Mississippi and north of the Iberville River, in Louisiana. In addition to effecting this important acquisition of territory, the long conflict had brought the colonies into closer relations with one another, and had developed the self-reliance which enabled them at a later period to resist successfully the encroachments of the mother-country.

2. To meet the expenses of the war, the General Assembly of Maryland in 1758 had resorted to taxation. Various articles of luxury were taxed; all persons twenty-five years of age and upward who were worth one hundred pounds and less than three hundred were taxed five shillings, and those who were worth more than three hundred pounds were taxed twenty shillings, per annum. A list of these persons



was required to be returned to the governor annually by the vestries of the several parishes. This tax was paid for five successive years.

3. The expenses of the French and Indian war amounted to three hundred millions of dollars, and the British ministry declared that the colonies ought to pay their share. True, the colonists had spent eleven millions of dollars of their own, and had suffered untold hardships throughout their widely-extended frontiers; but this, in the judgment of British statesmen, was but a small proportion of the cost of the war.

4. Accordingly, in March, 1764, the British House of Commons resolved "that Parliament had the right to tax America;" and, following up this resolution, an act was passed in April laying duties on certain articles imported into the colonies. At the same time, iron and lumber were classed among a list of articles which could be exported only to England. This was an attempt to destroy American manufactures and make the colonists more dependent upon the mother-country.

5. The conduct of the ministry and Parliament tended to alienate the feelings of those who still had a deep veneration for "home," as England was yet fondly called. The colonists protested against the invasion of their liberties, declaring that they had contributed more than their share in the late wars, that they were now able to protect themselves, and that "taxation without representation was tyranny."

6. This independent spirit on the part of the colonists irritated England, and in March, 1765, the odious Stamp Act passed the House of Commons by a large majority; in the House of Lords it met with no opposition. The act provided that stamps bought of the British government should be placed on all newspapers, and made null and void all legal documents issued in America on unstamped materials.

7. This measure thoroughly aroused the colonists. The Maryland Assembly, as soon as it could be convened, entered an earnest protest against this and every other attempt to infringe upon the rights of the people. Thomas Ringgold, William Murdock, and Edward Tilghman were appointed delegates to a general convention of the colonies which had been called to meet in New York in October, 1775. This convention is known as the First Colonial Congress. It issued an address and petition to the king and Parliament, in which the rights and grievances of the colonists were fully set forth.

8. In the mean time, the people of Maryland had taken vigorous action in the matter of stamps. The distributor appointed for the province met with great opposition, and was finally compelled to leave the country. In Frederick county the court boldly declared the Stamp Act to be unconstitutional. An association called the "Sons of Liberty" was formed, which compelled the courts and public officers at Annapolis to transact business without the use of stamps. The act became a dead letter in Maryland,

and so great was the opposition throughout the whole country that in March, 1766, it was repealed.

**9.** In 1767 the English Parliament enacted a new tax-bill. By this act, tea, paints, paper, glass, and lead were subjected to a duty, and revenue commissioners were sent over to enforce the law. When the news reached America, the excitement was revived, and the agreement not to use imported articles was renewed. The Massachusetts Legislature sent a circular letter to the other colonial Assemblies advising them to draw up petitions to the Crown, and urging consultation and co-operation.

**10.** The Maryland Assembly met in May, 1768, and, disregarding the advice and warning of the governor, proceeded to prepare a petition as suggested. Upon this, they were at once prorogued by Governor Sharpe, who had received instructions from England to that effect. Throughout the province associations were formed to discourage the use of certain British goods. The trade of Baltimore suffered in consequence, but the people stood firm in their opposition.

**11.** In 1769, Governor Sharpe was succeeded by Robert Eden, the last provincial governor of Maryland. Soon after his arrival he purchased of Edward Jennings, by whom it had been built, what has since been called the Government House. From Governor Eden it passed into the possession of the State, and was occupied for nearly a hundred years by the governors of Maryland. During this year,

paper money, or "bills of credit," were issued by Maryland for use in the province, and an appropriation of seven thousand pounds sterling was made by the General Assembly for building a State-house at Annapolis.

**12.** The Church of England, which had been established by law in Maryland, was supported by tithes, or taxes. These at first were at the rate of forty pounds of tobacco a head, which was afterward reduced to thirty. The colonists, in their growing independence, felt this to be a burden, and the proclamation of Governor Eden, in 1770, announcing the restoration of the former rates, was received with every manifestation of opposition and defiance.

### QUESTIONS.

1. What virtually closed the war in America? What did France surrender? What effect had the war on the colonies?
2. What taxes were imposed by the General Assembly?
3. What was the cost of the French and Indian war?
4. What was done by the British House of Commons?
5. What effect had their action on the colonies?
6. Give an account of the Stamp Act.
7. What was done by the Maryland Assembly? Give an account of the First Colonial Congress.
8. What course did Maryland pursue in regard to the use of stamps? When was the act repealed?
9. Give an account of the tax-bill of 1767, and of its reception by the colonies.
10. What was done by the Assembly of 1768? What followed?
11. Give an account of Governor Eden. Of paper money.
12. How was the Church of England supported in Maryland? What was the effect of Governor Eden's proclamation?

## CHAPTER XIV.

*EVENTS PRECEDING THE REVOLUTION.*

**Boston Port Bill.** A bill passed by the British Parliament, March 31, 1774, shutting up the harbor of the city of Boston.

**Minute-men.** Men enlisted for service wherever required, and ready to march at a moment's notice.

1. THE determination of the colonies not to purchase British goods had a marked effect in England. Commercial depression followed, and public opinion demanded some concession to the Americans. The ministry, accordingly, in 1770, repealed all the taxes except that of threepence per pound on tea. This was retained more for the purpose of asserting their right to tax the colonies than for the amount of revenue to be derived therefrom. The colonists, who were contending for a principle, refused to pay even this small tax, imposed without their consent.

2. In 1771 the last Lord Baltimore died, leaving no children by his marriage. His character was such that he was held in very little respect throughout the province, in which, indeed, he took no interest beyond the collection of his annual revenues, amounting, it is said, to sixty-four thousand dollars. By his will his Maryland possessions passed to an illegitimate son, Henry Harford, the last proprietary of Maryland.

3. In 1774, Maryland claimed a population of

three hundred and twenty thousand. Virginia and Massachusetts were the only colonies that reported a greater number. The Revolution was making rapid progress, and the last provincial General Assembly was held in March of this year. A convention, called by the people, met in June and proposed the severing of all commercial relations with Great Britain. It also provided that subscriptions should be taken in every county for the relief of the people of Boston, who were then suffering from the effects of the Boston Port Bill. Matthew Tilghman, Thomas Johnson, Jr., Robert Goldsborough, William Paca, and Samuel Chase were appointed delegates to attend the Continental Congress.

4. In the mean time, large quantities of tea had been sent to America. The people of Boston threw a cargo overboard, and were punished by the passage of the Port Bill. New York and Philadelphia sent their cargoes back to England. In Charleston the tea was stored in damp cellars, and thereby spoiled. In Maryland the people acted with equal energy and determination.

5. On the 19th of October a vessel named the *Peggy Stuart* arrived at Annapolis, bringing seventeen packages of tea from London. On this tea the owner paid the duty. When this became known, great excitement ensued, and a meeting was held to prevent its landing. To appease the general indignation, the owner at first proposed to land the tea and destroy it; but, acting on the advice of Charles

Carroll, who was then prominent in public affairs, he set fire to the vessel with his own hands, in open day, and destroyed it in the presence of the assembled citizens.

6. The Second Colonial, or First Continental, Congress met at Philadelphia on the 5th of September, 1774. Every colony had a representation except Georgia, whose governor would not permit it. The delegates were men of wisdom and influence, but had not at that time formed any very definite ideas of independence. They passed a declaration of rights, framed addresses to the king and people of England, and recommended the suspension of commercial relations with the mother-country. They then adjourned to meet on the 10th of May, 1775.

7. The Maryland convention assembled for the second time in November, 1774. They resolved "that every person in the province ought strictly and inviolably to observe and carry into execution the articles of association agreed on by the Continental Congress." They also recommended that "during the present time of calamity balls and dancing-parties be discontinued." In December the third convention was held. It prepared for active hostilities by providing for the organization of troops, and for raising ten thousand pounds for their equipment.

8. The fourth convention met on the 24th of April, 1775, and on the 28th received news of the battle of Lexington. Still they did not lose hope of a final

reconciliation with the mother-country. It was resolved that "George III. is lawful and right king of Great Britain and of the dominions thereto belonging, and that the people of this province do owe, and will bear, faith and true allegiance to him." At the same time, particular attention was recommended to be paid to forming and exercising the militia in every county.

9. Throughout the province every settlement was now engaged in preparing for active hostilities, and those who were not infected with the general excitement were considered enemies to the cause of liberty. On the 10th of May, 1775, the Continental Congress again assembled at Philadelphia, and elected John Hancock for its president. It assumed authority over the "United Colonies of America," and voted to raise an army of twenty thousand men. George Washington was nominated for commander-in-chief by Thomas Johnson of Maryland, and unanimously elected.

10. The fifth Maryland convention met in Annapolis in July. By this time the battle of Bunker Hill had been fought and Washington had taken command of the Continental army at Cambridge, Massachusetts. This convention resolved that the articles of association for the maintenance of peace, good order, and law should be subscribed by all the freemen of the province, and those who should refuse were to be noted. Forty companies of minute-men, of eighty-two each, were called for, and all able-



bodied men from sixteen to forty-five years of age were to be enrolled.

**11.** A council of safety, composed of sixteen members, was appointed by the convention to carry on the government, and paper money to the amount of two hundred and sixty-six thousand dollars was issued. A declaration of the Association of the Freemen of Maryland was issued at this time, preceding by nearly a year the Declaration of Independence adopted by the Continental Congress in Philadelphia on the 4th of July, 1776.

**12.** At the sixth convention, held on the second Tuesday in September, 1775, committees of observation and correspondence were appointed. The provincial government still had a nominal existence, though the real power was in the hands of the convention. Three of the leading clergymen of the Established Church left the province and went to England, and three were arrested and imprisoned. The larger portion, however, were on the side of American liberty.

### QUESTIONS.

1. What was the effect of the determination of the colonies not to purchase British goods? What was done by the British ministry? By the colonists?
2. What is said of the last Lord Baltimore?
3. What was the condition of Maryland in 1774? Give an account of the convention held that year.
4. What was done by the colonists with the cargoes of tea sent them?
5. Give an account of the Peggy Stuart.

6. Give an account of the First Continental Congress.
7. What was done by the second Maryland convention? The third?
8. Give an account of the fourth convention.
9. When and where did the Second Continental Congress meet? What was done by this Congress?
10. What was done by the fifth Maryland convention?
11. What is said of the council of safety? Of paper money? Of the declaration of the Association of Freemen?
12. Give an account of the sixth Maryland convention. What is said of the clergymen of the Established Church?

## CHAPTER XV.

### *DECLARATION OF INDEPENDENCE.*

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| <p><b>Battalion.</b> A body of infantry consisting of from two to ten companies.</p> <p><b>White Plains.</b> A village in White Plains township, about twenty-two miles north by east of New York City.</p> | <p><b>Hessians.</b> Troops from Hesse-Cassel, in Germany, who had been hired to fight for Great Britain.</p> <p><b>Flying-camp.</b> A camp or body of troops formed for rapid movement from one place to another.</p> |
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1. On the 1st of January, 1776, the seventh Maryland convention assembled. A battalion of regular troops, consisting of eleven hundred and forty men, was ordered to be raised, and William Smallwood was appointed colonel. Still wishing to avoid an absolute separation from Great Britain, though resolutely bent on maintaining their rights, instructions were given to their delegates in the Continental Congress not to assent to any proposition declaring the

colonies independent without the approbation of the convention. They were also directed to support any effort toward an honorable reconciliation.

**2.** In March the British were compelled to evacuate Boston, and, soon after, Washington marched his army to the defence of New York. About this time the people of Maryland were much annoyed by Lord Dunmore, the late royal governor of Virginia. He had been obliged the year before to seek refuge on board a British man-of-war, and in revenge he now harassed the colonists on both sides of the Chesapeake. He also succeeded in stirring up disaffection on the Eastern Shore, but was thwarted in the full accomplishment of his designs by the Committee of Safety. Baltimore and Annapolis erected batteries for the defence of their harbors, and thus escaped the fate of Norfolk, which was burned by Dunmore.

**3.** The eighth convention met in May, 1776. All oaths taken to the proprietary government were declared null and void, prayers for the king were directed to be omitted in churches and chapels, and all the powers of government were to be exercised under the authority of the people. In addition to this, Governor Eden, who had hitherto remained undisturbed in the province, was requested to leave, in consequence of the interception of letters of instruction to him from the British ministry. He was allowed to depart unmolested on one of Lord Dunmore's vessels.

**4.** On the 18th of June the ninth convention met,

and after considerable discussion agreed to instruct their delegates in the Continental Congress, then in session, to concur in declaring the united colonies free and independent, provided "that the sole and exclusive right of regulating the internal government of this colony be reserved to the people thereof." These instructions reached Philadelphia on the 2d of July, and on the 4th the Declaration of Independence was adopted, and the thirteen colonies became a nation, under the title of The United States of America.

5. On the same day the Maryland convention elected Charles Carroll to fill a vacancy in Congress, and, though not present at the passage of the Declaration of Independence, he afterward signed it, adding to his name the words "of Carrollton"—the title of his estate—in order that there might be no mistake as to his identity. In the mean time, provision had been made for the election of a new convention, with power to form a new government, and three thousand four hundred of the militia had been called out, to constitute a flying-camp.

6. The convention for forming a State constitution met on the 14th of August, and continued in session till the 11th of November. Frederick county was divided into three counties—Montgomery, Frederick, and Washington. The State constitution was formed, the proprietary government swept away, and a new and independent government organized. The Church of England ceased to be the established Church, the

titles for its support were abolished, and, in consequence, many of the churches were closed.

7. In August, 1776, the British general Sir William Howe commenced operations against New York. His troops were landed on Long Island, and on the 27th a battle was fought, in which the Americans were defeated. In this battle Colonel Smallwood's Maryland battalion, under the command of Major Mordecai Gist, displayed the most determined bravery. They checked the advance of the entire British army until the Americans made good their retreat. Out of seven hundred and fifty men composing the battalion, two hundred and fifty-six were killed or wounded.

8. The defeat on Long Island compelled Washington to abandon New York. He retreated northward to White Plains, followed by Howe. Here a battle was fought, in which the Maryland troops participated, and Colonel Smallwood was wounded. The advantage was with the British, and, soon after, Washington crossed the Hudson and retreated through New Jersey, closely pursued by Lord Cornwallis. In December the American army, half starved and poorly clad, crossed the Delaware River near Trenton, and the enemy abandoned the pursuit.

9. The close of 1776 found the people of the United States greatly depressed over these reverses. The American soldiers had displayed great courage and endurance, but they were disheartened by suffering and defeat. The Maryland Line had made a glorious

record, but their numbers were reduced to a mere handful. At this critical period Washington by a brilliant movement surprised and captured a force of Hessians at Trenton, and soon after skillfully avoided an engagement with Cornwallis and defeated a detachment of the enemy at Princeton.

**10.** During this memorable retreat through New Jersey, Congress removed for safety to Baltimore. Its sessions were held in a building on the south-east corner of Baltimore and Liberty streets. At this time endeavors were made to obtain assistance from Europe, and Benjamin Franklin, Silas Deane, and Arthur Lee were despatched as commissioners to the court of France. To meet the emergency of the times, Washington was invested with almost unlimited powers.

### QUESTIONS.

1. What was done by the seventh Maryland convention?
2. Give an account of the proceedings of Lord Dunmore.
3. What was done by the eighth convention?
4. What was done by the ninth convention?
5. What is said of Charles Carroll? Of a new convention?
6. What was done by the convention for forming a State constitution?
7. Give an account of the battle of Long Island.
8. What is said of Washington's subsequent movements?
9. What was the condition of affairs at the close of 1776?
10. Where was Congress now in session? Who were sent as commissioners to France?

## CHAPTER XVI.

## PROGRESS OF THE REVOLUTION.

<b>Reciprocal.</b> Done by each to the other; mutual.	Freehold.) The county-seat of Monmouth county, N. J., twenty-five miles east of Trenton.
<b>Maryland Line.</b> The regular infantry of Maryland, as distinguished from her militia, cavalry, artillery, etc.	<b>Loyalists.</b> Those who adhered to the British government.
<b>Monmouth</b> (Môn'müth). (Now	<b>Con'fiscate.</b> To appropriate, as a penalty, to the public use.

1. THE first Legislature of Maryland under the new constitution met on the 5th of February, 1777, and on the 13th elected Thomas Johnson, of Anne Arundel county, governor. He was inaugurated at Annapolis on the 21st of March. Upon the principle that in every State allegiance and protection are reciprocal, and that no man is entitled to the latter who refuses the former, all who declined to take the oath of allegiance to the State were disfranchised and made subject to treble tax.

2. At this session of the Legislature provision was made for recruiting the Maryland Line. It was finally increased to seven battalions, which were divided into two brigades. Colonel Smallwood, now promoted to the rank of a brigadier-general, was placed in command of the First Brigade, while the other was assigned to General Deborre, a French officer who had entered into the service of the United States.

3. About this time an insurrection of several hundred Tories from Somerset and Worcester counties and from Sussex county, Delaware, took place near Salisbury, and was of so threatening a character that General Smallwood and Colonel Gist, with a Virginia regiment, were sent from Annapolis to quell it. Not long after this a party of loyalists congregated near Pipe Creek, in Frederick county; but the appearance of a party of militia put them to flight. In neither instance was any blood shed. Some of the Tories were taken and imprisoned, but they were afterward pardoned.

4. In September, 1777, the British occupied Philadelphia, having advanced by way of the Chesapeake—without, however, molesting the people of Maryland. Washington had endeavored to protect the city, but was defeated at the battle of the Brandywine. He afterward attacked the British at Germantown, but was repulsed with severe loss. In this battle the Maryland troops, under the command of Major John Eager Howard and other brave officers, were prominently engaged, and were the last to leave the field. As an offset to these reverses, the British army under Burgoyne surrendered at Saratoga on the 17th of October.

5. During 1778, Maryland, in response to the demands of Congress, furnished more than three thousand three hundred regular troops. This number, in proportion to what was asked for, was one-third greater than that furnished by any other State except



Delaware. In addition to these, Count Pulaski, a Polish nobleman in the service of the United States, organized in Baltimore an independent company of horse and foot, known as "Pulaski's Legion." Many of the States were slow in sending provisions and other supplies to the army, but through the energy and patriotism of her citizens the demands upon Maryland were promptly met.

6. In March, 1778, the independence of the United States was acknowledged by France, and in July a French fleet was sent to their assistance. Before this fleet reached the Delaware, however, the British had left Philadelphia and retreated across New Jersey to New York. They were pursued by Washington, who overtook them at Monmouth, where an indecisive battle was fought on the 28th of June, the British retreating during the night. In this battle a blunder of General Lee endangered the American army, but the Maryland troops checked the advance of the enemy and enabled Washington to recover the advantage.

7. At the close of 1778 the British held only New York and Newport in the North. They had gained a foothold in the South, but had lost Philadelphia, the whole of New Jersey, and the settlements north of the Ohio. Moreover, the Americans had become inured to war, and were in much better fighting condition than ever before. The financial condition of the country, however, was not so hopeful. Congress had issued paper money until it had become almost

worthless. From bills still in existence, we find that at this time the price, in paper money, of a pound of sugar was eight dollars, and of a barrel of flour five hundred dollars.

8. During the year the Articles of Confederation proposed by Congress were signed by eleven of the States, but were not ratified by all the States until 1781. In these articles Virginia had succeeded in inserting the provision that no State should be deprived of her territory for the benefit of the United States, she at the same time claiming westward to the Mississippi River. Against this the Assembly of Maryland entered a protest, and refused to sign the articles till that clause was stricken out.

9. The year 1779 was not marked by any decisive events. The seat of war was mainly in the South, and the Americans were generally unsuccessful in their operations against the enemy. The French fleet also accomplished but little. In October an assault was made upon the British then in possession of Savannah. The attack was repulsed, and the gallant Count Pulaski was killed while bravely fighting at the head of his legion.

10. During the early part of the war, Congress had authorized the fitting out of private armed vessels. In this, Maryland took the lead; and during the Revolution, upward of two hundred privateers sailed out of the Chesapeake. Immense damage was done to British commerce, and large quantities of important supplies were captured. Among those who especially

distinguished themselves in this service was Joshua Barney, who was made a lieutenant in the American navy. In 1782, while in command of the *Hyder Ally*, he captured the British vessel *General Monk*, of superior force, after one of the most brilliant naval actions on record.

**11.** In November, Thomas Sim Lee was elected governor of Maryland, to succeed Thomas Johnson. During the session of the Legislature this year it was proposed to confiscate the property of those who had taken sides with Great Britain. After considerable opposition, the act was passed the following year, to go into effect in March, 1782. In the mean time, those who desired could take the oath of allegiance to the State, and thus save their property.

### QUESTIONS.

1. Give an account of the proceedings of the first Legislature under the new constitution.

2. What provision was made in regard to troops?

3. Give an account of the insurrection near Salisbury. In Frederick county.

4. What other events occurred in 1777?

5. What is said of the Maryland troops? Of Count Pulaski?

6. What was done by France in 1778? Give an account of the battle of Monmouth.

7. What was the condition of affairs at the close of 1778?

8. What is said of the Articles of Confederation? Of the claims of Virginia?

9. What is said of the events of 1779?

10. What is said of privateers? Of Lieutenant Joshua Barney?

11. Who was elected governor? What was done by the Legislature?

## CHAPTER XVII.

*CLOSE OF THE REVOLUTION.*

**Marquis de la Fayette.** A French nobleman who at the age of nineteen fitted out a ship at his own expense and came to America to take part in the cause of independence. He became the intimate friend of Washington, and served with distinction through out the war. He died in Paris, May 30, 1834.

**A Baron de Kalb.** John, baron de Kalb, was a trained German soldier who had entered the French service in 1743. At the breaking out of the American Revolution he offered his services to the colonies, and was awarded the rank of major-general. He came over with La Fayette in 1777.

1. In the spring of 1780, Washington sent a detachment of troops, under the command of Major-General Baron de Kalb, to assist the struggling patriots of the South. It was composed chiefly of two Maryland brigades, commanded by Generals Smallwood and Gist. They were joined in North Carolina by General Gates, who had been appointed to the chief command of the Southern forces in consequence of the reputation he had acquired through the surrender of Burgoyne at Saratoga.

2. In August the British and American armies, while seeking to surprise each other, met near Camden, South Carolina. A hard-fought battle ensued, which resulted disastrously to the Americans. De Kalb, with his two Maryland brigades and a Delaware regiment, made a desperate final bayonet-charge,

but was overpowered by numbers and forced to retreat with great loss, De Kalb himself being mortally wounded. Colonels Williams and Howard fought with distinguished bravery, and Generals Smallwood and Gist received the thanks of Congress for their skill and courage, so ably supported by the heroic troops under their command.

3. General Gates was soon after succeeded by General Greene, a brave and prudent officer who stood high in the estimation of Washington. His movements against Cornwallis—whose plan at this time was to move north and join the British forces in Virginia—were conducted with varying success. At times defeated and forced to retreat, and again assuming the offensive with renewed patience and courage, he made steady progress, and in less than nine months he had limited the British rule in the South to the cities of Wilmington, Charleston, and Savannah. In the mean time, Cornwallis had left Wilmington, and joined General Philips at Petersburg, Virginia, in May, 1781.

4. In these operations in the South the Maryland troops added to their well-earned reputation. Reduced to a single regiment after the first battle at Camden, they were placed under the command of Colonel Otho H. Williams, and a further demand was made upon their State for recruits, which was promptly met. In every important engagement, from Camden to Yorktown, they took a prominent part, and no troops in the American army surpassed

them in courage or in devotion to the cause of freedom. The encomiums of the brave De Kalb and the repeated thanks of Congress bear witness to the high estimation in which they were justly held.

5. But their arduous labors were soon to close. Cornwallis had finally entrenched himself at Yorktown, where he was besieged by the combined French and American forces, while the French fleet blockaded the harbor. On the 19th of October, 1781, he was obliged to surrender his entire army; and this virtually ended the war, though it was not until two years later that peace was formally declared and the American army disbanded.

6. Soon after the surrender Washington addressed a letter to Governor Lee, in which he shows his appreciation of the patriotic efforts of Maryland during the war. In this letter he says, "My present engagements will not allow me to add more than my congratulations on this happy event, and to express the high sense I have of the powerful aid which I have derived from the State of Maryland in complying with my every request to the executive of it."

7. An anecdote of La Fayette may here be mentioned. On his way South to operate against Cornwallis previous to the siege of Yorktown, he halted for some time at Baltimore. At a ball given in honor of his arrival he was observed to appear sad, and, on being questioned by one of the ladies as to the cause, he replied, "I cannot enjoy the gayety of the scene while so many of the poor soldiers are in want of

clothes.”—“We will supply them,” was the prompt response; and the next morning the ball-room was turned into a clothing-manufactory. One lady with her own hands cut out five hundred garments, and superintended the making of them.

8. Although the Americans had triumphed, the situation of the country at this time was most perilous. The treasury was bankrupt, commerce destroyed, business neglected, and the army unpaid. The soldiers, most of whom had been sent into encampment at Newburg on the Hudson, became restless, impatient, and finally mutinous. Failing to obtain from Congress the relief which it was powerless to provide, they besought Washington to make himself king and manage affairs according to his own judgment. This proposal was spurned with indignation. Through his efforts and influence, however, a compromise was made and the danger averted.

9. In 1782 the population of Maryland, as enumerated by assessors, was found to be one hundred and seventy thousand six hundred and eighty-eight white, and eighty-three thousand three hundred and sixty-two colored, making a total of two hundred and fifty-four thousand and fifty. The population of the State of New York at the same time was two hundred and thirty-eight thousand eight hundred and ninety-seven—over fifteen thousand less than that of Maryland.

10. In the war that resulted so gloriously, Maryland had nobly done her part. Though no battle

had been fought within her borders, her soldiers, numbering one-twelfth of the forces of the thirteen States, had gone north and south, and of the twenty-three thousand whom she sent out few returned. By emigration to England and elsewhere, in slaves carried off, and in the casualties of war, Maryland had lost sixty-six thousand of her population in seven years.

**11.** During the last three years of the war her land had depreciated one-third in value. Thirty thousand acres were confiscated, exclusive of what belonged to the proprietor. The war-expenses of the State were seven million six hundred thousand dollars, two-thirds of the value of all her real estate. Of specie there remained in circulation only one hundred thousand pounds, currency.

### QUESTIONS.

1. What was done in the spring of 1780?
2. Describe the battle near Camden.
3. Give an account of General Greene's operations in the South.
4. What is said of the Maryland troops?
5. Give an account of the surrender of Cornwallis.
6. How did Washington show his appreciation of the patriotic efforts of Maryland?
7. Repeat the anecdote of La Fayette.
8. What was the condition of the country at the close of the Revolution? What was done by the soldiers at Newburg?
9. What was the population of Maryland in 1782? Of New York?
10. What is said of Maryland's part in the war? How had it affected her population?
11. How else was the State affected?



## CHAPTER XVIII.

## ADOPTION OF THE CONSTITUTION.

<b>Slack-water.</b> Water at rest, as distinguished from running water.	<b>Memorial.</b> A written repre- sentation of facts made to a legislative or other body.
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1. IN September, 1783, a treaty of peace between Great Britain and the United States was signed, and during the following month the American army was disbanded. In November, New York was evacuated by the British; and Washington, accompanied by his officers, soon after entered that city. Here he bade them an affectionate farewell, and proceeded to Annapolis, where Congress was then in session.

2. On his arrival he was met by Major-Generals Gates and Smallwood and escorted to Mann's Hotel. After receiving many calls, he visited the president of Congress. On the 10th he gave a public dinner to the president and members of Congress and the civil and military officials. At night a grand ball was given by the Maryland Assembly at the State-house. There Washington received an address from the city authorities, to which he replied in fitting terms.

3. On the 23d he had a public audience in Congress. On being informed by President Mifflin that they had assembled to receive his communications,

Washington arose and said that the events on which his resignation depended had taken place. He referred to the reasons for his acceptance of the command conferred upon him, and spoke of the successful termination of the war as having realized his most sanguine expectations; of his gratitude to divine Providence and to his countrymen, increasing upon every review; and of his good fortune in the choice of his confidential officers, commending all then in service to the care of Congress, and the whole country to Almighty God.

4. Then, amidst a display of the most profound emotion, in the presence of the representatives of the nation and the brilliant assemblage of ladies and gentlemen who had thronged to witness the crowning act of a glorious career, Washington delivered to the president his commission as commander-in-chief, and became once more a private citizen. An appropriate address from the president closed the impressive scene.

5. At this time, William Paca, of Harford county, was governor of Maryland. At the April session of the General Assembly in 1783, acting upon a memorial from the corporation of Annapolis, the two houses tendered to Congress, for the purposes of the national government, the use and possession of the State-house, the public square, the governor's house as a residence for the President, thirteen dwelling-houses to be built at the expense of the State, and jurisdiction over the city and people of Annapolis.

Congress, as we have seen, had adjourned to Annapolis, but in October it determined on the selection of a site on the Potomac near Georgetown.



STATE CAPITOL, ANNAPOLIS.

6. In the November session of 1784 the subject of internal improvements was taken up, and an act was passed establishing a company for opening and extending the navigation of the river Potomac "from tide-water to the highest place practicable on the north branch, by dams, slack-water canals, etc."

This would open a way of travel and transportation between the Atlantic and the West, leaving only forty miles of land-travel before reaching the Ohio. General Washington took great interest in this company, and was made its first president. At a later date it was merged into the Chesapeake and Ohio Canal Company.

7. In 1785, General William Smallwood, of Revolutionary fame, was elected governor. He came from an old and prominent family of Charles county, and was a personal friend of Washington. He was a faithful, modest, and brave man, and was the first and highest officer appointed by Maryland at the breaking out of the war, during which he rose to the rank of major-general. At the expiration of his term as governor he was taken ill, and died on his way home from Annapolis. Through private subscription, a monument was erected over his grave in 1876.

8. During Governor Smallwood's administration the present Constitution of the United States was framed. In order to preserve the union of the States, it was believed that a stronger central government was necessary. Accordingly, delegates from five of the States met at Annapolis in September, 1786. They decided to recommend the calling of a convention to revise the Articles of Confederation. This convention met in Philadelphia in 1787, and after a stormy session agreed upon a new constitution, to be submitted to conventions called in the several States;

if nine out of the thirteen should give their consent, it was to go into operation on the 4th of March, 1789.

**9.** On the 28th of April, 1788, the Constitution was adopted by the Maryland convention by a vote of sixty-three to eleven. Before the close of the year, eleven States had ratified the important instrument, thus securing its going into effect on the appointed day. Congress had fixed upon the first Wednesday in January, 1789, as the day for choosing presidential electors, and had selected New York as the place where the new government should assume its duties. When the electoral votes were counted, it was found that Washington was unanimously elected President of the United States. John Adams, by a majority vote, was chosen Vice-President.

**10.** In 1788, Colonel John Eager Howard became governor of Maryland. He was a native of Baltimore county, and had signally distinguished himself during the Revolution. Howard was a man whom the people delighted to honor, and whom they called on to fill the most important offices within their gift. Under his administration as governor, the Maryland representatives in Congress were authorized to cede to the United States, for the purposes of the general government, a district in the State not exceeding ten miles square.

**11.** In 1790, Congress accepted the proposal of Maryland, and appointed commissioners, who proceeded to lay out a district ten miles square, on the Potomac, the site having been previously selected by

Washington. This district was not wholly within the limits of Maryland, but included a portion of Virginia, which was afterward ceded back to that State. The seat of government was then transferred to Philadelphia, where it was to remain till 1800, when it was to be permanently fixed at a new city to be located within this district, on the Maryland side of the Potomac, and to be called Washington. The district itself at first received the name of "The Territory of Columbia."

### QUESTIONS.

1. When was the treaty of peace between the United States and Great Britain signed? What followed?
2. How was Washington received at Annapolis?
3. Give an account of his audience in Congress.
4. Give an account of his resignation as commander-in-chief.
5. What proposition was made to Congress by the Maryland Assembly? What was done by Congress?
6. What act was passed in 1784? What was the object of this undertaking?
7. What is said of General Smallwood?
8. What steps were taken in regard to the Articles of Confederation? By the convention?
9. When was the present Constitution of the United States adopted by Maryland? When did it go into operation?
10. What is said of Colonel Howard? What was done during his administration?
11. What was done by Congress in 1790? What did the district include? What is said of the seat of government?

## CHAPTER XIX.

## WAR OF 1812.

<p><b>Federalists.</b> Members of the political party which favored a strong general government. The Anti-Federalists wished to give more power to the State governments.</p> <p><b>Cockburn</b> (Kō burn).</p>	<p><b>Impress.</b> To take by force for the public service.</p> <p><b>Flotilla.</b> A fleet of small vessels.</p> <p><b>Ghent</b> (gent). A fortified city of Belgium, thirty-one miles north-west of Brussels.</p>
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1. In 1793, Washington entered upon the second term of his Presidency. Political feeling between the Federalists and the Anti-Federalists began at this time to grow very bitter, and the bitterness was intensified by the action of Genet, the French ambassador in the United States. Presuming upon the friendship of the country for France, he began to enlist soldiers and to fit out privateers against the English commerce. The President was displeased with his conduct, and was finally compelled to ask for his recall. In 1798 troubles again arose with France; war was threatened, and the United States forces were placed under the command of Washington, who designated John Eager Howard of Maryland as one of his brigadier-generals.

2. By this time the country at large was again prosperous. Credit had been established and provision made for the public expenses and for the payment of the national debt. Agriculture and

commerce were in a thriving condition, and several new States had been added to the Union. In Maryland much attention had been paid to internal improvements. Turnpikes, public roads, and canals were projected, and the western part of the State was rapidly filling up with settlers.

**3.** In 1803-4, Maryland suffered severely from droughts, hail-storms, and floods, which destroyed large quantities of produce. During these years, also, epidemics of various kinds—one of which was known as “the plague”—carried off great numbers of people. In 1807 an act was passed to establish a college of medicine in Baltimore. This afterward became part of the University of Maryland, created in 1812 under State patronage, and including colleges of arts and sciences, law, and divinity.

**4.** For some time the conduct of Great Britain had been causing intense irritation throughout the country. England and France were at war, and in endeavoring to retaliate upon each other had resorted to various measures that wrought great injury to American commerce. France finally modified her oppressive enactments, so far as the United States was concerned, but England continued to seize American vessels and impress American seamen. This finally led to a declaration of war by the United States, on the 18th of January, 1812.

**5.** This act did not meet with popular approval. It was generally condemned by the Federalists, chiefly on the ground of the unprepared condition



of the country. In Baltimore the *Federal Republican* violently denounced the war, and a riot ensued, in which the office of the newspaper was torn down and General Lingan killed. The military operations of the year, principally against the British in Canada, were signally unsuccessful, but the navy, by a series of brilliant victories, aroused the enthusiasm of the country; and the war was approved by the re-election of Madison to the Presidency.

6. In April, 1813, Admiral Cockburn, in command of a British squadron, sailed up the Chesapeake. He plundered and burnt Frenchtown, Havre de Grace, Fredericktown, and Georgetown, at the head of the bay. Women and children did not escape savage and disgraceful outrages. Going down the bay, the enemy lit up its shores and waters by night with incendiary fires. During the whole year the British held a close blockade along the Atlantic coast.

7. In the middle of August, 1814, another British fleet, commanded by Admiral Cochrane, arrived in the Chesapeake, having on board a large body of troops under the command of General Ross. This fleet was joined by the squadron under Admiral Cockburn. A detachment under Captain Gordon was sent up the Potomac, and another under Sir Peter Parker threatened Baltimore, while the main expedition proceeded up the Patuxent and landed the troops at Benedict.

8. One of the special objects of this expedition was the capture or destruction of the American flotilla,

which, under the command of Commodore Barney, had greatly harassed the British fleet. This flotilla had been for some time blockaded in the Patuxent, and on the approach of the enemy the commodore and his men abandoned their vessels and joined the land forces under the command of General Winder. The boats were then set on fire, to prevent their falling into the hands of the British.

**9.** It soon became evident that the next object of the British was the capture of Washington, but, instead of marching directly upon that city, they took the road to Bladensburg, where they arrived August 24th. Here they were met by the hastily-collected forces under General Winder; but his raw militia could not be induced to attack the enemy, and they met with little resistance except from a few brave marines, under the gallant Barney, and a regiment of regulars. Barney was severely wounded, and fell into the hands of the British, who entered Washington without further opposition.

**10.** Here they burned the Capitol, the President's house, and other public buildings, together with some private dwellings, after which they hastily retreated to the fleet, which was still in the Patuxent. While this was taking place, Alexandria was attacked by the expedition under Captain Gordon, and its shipping and merchandise were surrendered to the enemy. Sir Peter Parker was less successful. In attempting to surprise a company of militia in Kent county his troops were repulsed, and he himself was fatally wounded.

**11.** Baltimore was the next point of attack. In anticipation of this, large numbers of militia had collected to defend the city. They were placed under the command of General Samuel Smith, assisted by Generals Stricker and Winder. On the 12th of September, Ross landed his troops at North Point, fourteen miles from the city, while the fleet moved up the Patapsco River to bombard Fort McHenry, then two miles from Baltimore, the entrance to which it guarded. General Stricker opposed the advance of General Ross, who was killed in the skirmish that ensued. The command of the British then devolved upon Colonel Brooke, and in the engagement which followed the Americans were forced to retire within their defences; these, however, the British hesitated to attack.

**12.** On the evening of the 13th the bombardment of the fort commenced, and continued for thirty-six hours. The garrison, under Colonel Armistead, made a brave defence. During the night an assault was attempted by the enemy in boats and barges, but they were repulsed by the fire of the fort and batteries, and forced to retire with a heavy loss. After embarking the troops, the fleet on the 16th of September sailed down the Chesapeake, destroying, as before, the property of the defenceless. On the 24th of December a treaty of peace was signed at Ghent. This treaty was ratified by the United States in February, 1815; and thus ended the second war with England.

**13.** Just previous to the bombardment of Fort McHenry, Francis S. Key, under a flag of truce, had gone on board the enemy's flagship to obtain the release of a friend who had been arrested and was then confined on board the ship. Mr. Key was detained by the commander till after the bombardment. During the night he composed that noble national song "The Star-Spangled Banner," which has made his name famous.

### QUESTIONS.

1. What troubles arose with France during Washington's administration?

2. What was the condition of the country at this time? What had been done in Maryland?

3. What occurred in 1803 and 1804? What is said of the college of medicine?

4. What troubles arose with Great Britain and France? What was the result?

5. How was the declaration of war received? What is said of the military and naval operations of 1812?

6. Give an account of Cockburn's expedition.

7. Give an account of Cochrane's expedition.

8. Give an account of the destruction of Commodore Barney's flotilla.

9. Describe the British march on Washington. Give an account of the battle at Bladensburg.

10. What was done by the British in Washington? By Captain Gordon? By Sir Peter Parker?

11. Describe the land attack on Baltimore.

12. Give an account of the bombardment of Fort McHenry. When and where was the treaty of peace signed?

13. What is said of Francis S. Key?

## CHAPTER XX.

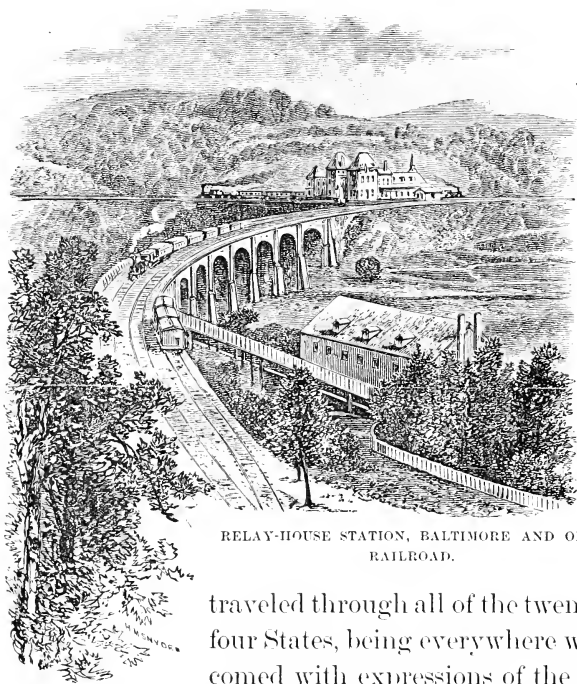
## INTERNAL IMPROVEMENTS.

<p><b>Liberia.</b> A republic on the west coast of Africa, founded as a colony of free blacks in 1820 by the American Colonization Society.</p>	<p><b>Apportionment.</b> The act of assigning in just proportions or shares.</p> <p><b>Judiciary.</b> The judges taken collectively.</p>
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1. THE war of 1812 left the usual legacy of debt and depression; it gained, however, for the United States the respect of Europe and a recognized place among the powers of the world. The States, relieved from the burden of conflict, once more turned their attention to internal improvements, and the immense natural resources of the country soon enabled it to recover its former prosperity.

2. The rich mines of iron-ore, the inexhaustible beds of coal, and the immense quantities of timber in the western part of Maryland made it highly important that the early designs of the Potomac Company should be fully carried out. With this view, a convention of delegates from Virginia, Maryland, and Pennsylvania was held in Washington City in November, 1823, and in 1824 the Chesapeake and Ohio Canal Company was incorporated. It succeeded to the privileges of the old Potomac Company, and designed to construct a canal from the Ohio River to Georgetown, on the Potomac.

3. During the year 1824, La Fayette made a visit to the United States, more than forty years having elapsed since he fought by the side of Washington for American independence. He remained in the country somewhat over a year, and during that time



RELAY-HOUSE STATION, BALTIMORE AND OHIO RAILROAD.

traveled through all of the twenty-four States, being everywhere welcomed with expressions of the utmost gratitude and affection. Maryland received the "guest of the people" with distinguished honors, and by a special act of the Legislature he and his heirs for ever were made citizens of the State.

4. At this time railroads were coming into use.

The people of Baltimore, desirous of bringing directly to their city the trade of the great West, which they feared would be diverted to other cities by the Chesapeake and Ohio Canal, took steps toward the construction of a railroad from Baltimore to the Ohio River. In 1827 the Legislature granted a charter to the Baltimore and Ohio Railroad Company, and on the Fourth of July the following year the first stone of this great work was laid by the venerable Charles Carroll of Carrollton, who at that time had passed his ninetieth year.

5. At the session of 1831 the Legislature, "highly approving of African colonization," directed its treasurer to pay one thousand dollars to the American Colonization Society for the settlement of free colored people in Africa, and provided for the payment of the same sum each year thereafter. At a later period a branch of this society was incorporated in Maryland and established a colony in Liberia, to which the name of the State was given.

6. At the November session of the Legislature in 1835 an act was passed amending the constitution and form of government of the State. It gave the election of the governor directly to the people, instead of to two electors from each county, as theretofore. It also abolished the council to the governor and changed the apportionment of delegates.

7. In 1835 a serious riot occurred in Baltimore in connection with the suspension of the Bank of Maryland. Two years later a great national financial

crisis spread bankruptcy and distress throughout the country. Maryland had subscribed liberally to the construction of public works, and now found herself greatly embarrassed to meet her obligations; but through the wise and energetic measures recommended by Governor Pratt her credit was restored and a loan negotiated in London. In 1844 the first telegraph-line in the country was constructed, from Baltimore to Washington.

8. In 1846 a war with Mexico followed the annexation of Texas to the United States. Foremost among the Maryland officers who distinguished themselves in this war was Major Samuel Ringgold, who was mortally wounded at Palo Alto while gallantly and effectively serving his battery of light artillery. Among the other brave officers who nobly sustained the reputation of their State were Colonel William H. Watson, who was killed at Monterey, Captain Oden Bowie, afterward governor of Maryland, Lieutenant Randolph Ridgeley, and Captain John Eager Howard, grandson of the Revolutionary hero.

9. The stone at the north-east corner of Maryland having been removed, a revision of the survey made by Mason and Dixon was determined upon in 1849. Commissioners were appointed by the States of Delaware, Pennsylvania, and Maryland, who verified in all important points the work of their predecessors. As an evidence of the accuracy of the first survey, it may be stated that the changes made increased the area of Maryland by less than two acres.



**10.** In 1851 a convention met for the purpose of revising the State constitution. The principal changes were as follows: imprisonment for debt was abolished, lotteries were declared illegal, the judiciary was made elective by the people, biennial sessions of the Legislature were established, all fees of any office in excess of three thousand dollars were to be paid into the State treasury, and the representation of the counties in the Legislature was conformed to the change in the population.

**11.** The Baltimore and Ohio Railroad was finished to the Ohio River by the end of 1852, and on New Year's day, 1853, the first train passed over the road. The president of the road at this time was Thomas Swann, afterward governor of the State, and it was largely owing to his energy and ability that this important work was successfully completed.

### QUESTIONS.

1. What results followed the close of the war of 1812?
2. What is said of the Chesapeake and Ohio Canal Company?
3. Give an account of La Fayette's visit to the United States.
4. Give an account of the organization of the Baltimore and Ohio Railroad Company.
5. What was done in regard to African colonization?
6. How was the State constitution amended in 1835?
7. How was Maryland affected by the financial crisis of 1837?
8. What officers were distinguished in the war with Mexico?
9. Give an account of the revision of Mason and Dixon's survey.
10. What changes were made in the constitution in 1851?
11. When was the Baltimore and Ohio Railroad completed? What is said of its president at that time?

## CHAPTER XXI.

*THE CIVIL WAR.*

<b>Confederate.</b> United in a league.	<b>Federal.</b> Composed of a union of states or districts which retain only a subordinate and limited sovereignty.
<b>Raid.</b> A sudden and rapid invasion of a cavalry-force.	

1. A CRITICAL period in the history of the country was now approaching. From the beginning there had been a wide difference of opinion as to the rights which should be retained by the States and those which should be delegated to the United States. The violent agitation of the slavery question at this time united the South in asserting the supremacy of "State rights," and in claiming protection to slavery. On the other hand, the people of the North generally favored a strong central government, and were opposed, if not to the existence of slavery, at least to its further extension.

2. Various conflicting measures on the part of Congress and of the individual States tended to widen the breach between the North and the South, and the election of President Lincoln, in 1860, by the votes of the Northern States alone, brought matters to a crisis. In December, South Carolina withdrew from the Union, and by the middle of 1861 eleven States had seceded, and had organized a sepa-

rate government, called The Confederate States of America, of which Richmond became the capital. In April the Confederates captured Fort Sumter, in Charleston Harbor, and President Lincoln at once issued a call for seventy-five thousand troops.

**3.** Maryland had always been a staunch supporter of the Union, yet, as a slaveholding State, many of her people were naturally in sympathy with the South. In addition, the geographical position of the State made its possession a matter of great importance to the Confederate government, as the leading highways to the North were through its territory and the national capital was within its limits. The same reasons, however, prompted the United States government to make every effort to prevent the State from seceding; and this condition of affairs, together with the belief that the destruction of every material interest would follow secession, led to the endeavor on the part of Maryland to assume a neutral position between the two contending parties.

**4.** In the midst of the intense excitement following the fall of Fort Sumter, a Massachusetts regiment, in passing through Baltimore on its way to Washington, was assailed by a mob; and a terrible riot ensued, in which a number of lives were lost on each side. To prevent further scenes of violence, the authorities destroyed the bridges north and east of the city, which obliged the troops to seek other routes to Washington. At the request of the governor of the State and the mayor of Baltimore, the President ordered that there

should be no further transportation of troops through that city.

5. Soon after this, General B. F. Butler was placed in command of the Military Department of Annapolis, which also included the Washington Railroad as far as Bladensburg. In May he occupied Federal Hill, on which batteries were afterward erected commanding the city of Baltimore. In the mean time, a special session of the Legislature had been called, and resolutions were passed protesting against the war and favoring neutrality on the part of Maryland. In September the members from Baltimore city and county were arrested and imprisoned by order of the Secretary of War.

6. The regular election for governor and members of the State Legislature was held in November, and Augustus W. Bradford, the Union candidate, was elected governor by a large majority. The new Legislature, in a series of resolutions addressed to the United States Senate, declared their attachment to the Union and approved of the course pursued by the President, but at the same time called attention to the dangers growing out of the use of such extreme measures as those to which the State had been subjected. They also appropriated seven thousand dollars for the relief of the families of the Massachusetts volunteers who were killed or wounded in Baltimore on the 19th of April.

7. During this time there had been numerous battles, principally in Virginia and Missouri, result-

ing in great sacrifice of life and property. The year 1861, however, was virtually one of preparation for the terrific struggle that was to follow. In the fall of 1862, General Lee, having thwarted the efforts of the Federal forces to capture Richmond, crossed the Potomac below Harper's Ferry with a large army and occupied the city of Frederick. On the 14th of September he was attacked at South Mountain by General McClellan, and defeated.

8. General Lee then retreated to the Potomac and took up a position at Sharpsburg, with Antietam Creek in front. Here he was joined by General Jackson, who had just effected the capture of Harper's Ferry; and on the 17th of September the great battle of Antietam was fought. The Confederates were considerably outnumbered, but withstood the Federal attacks during the entire day; and the loss on each side was over ten thousand men in killed, wounded, and prisoners. On the 18th neither army was in condition to renew the conflict, and during the night General Lee retired from the field and recrossed the Potomac into Virginia.

9. In June, 1863, General Lee again invaded Maryland, with greater numbers than before. Crossing the Potomac in Washington county, at Williamsport, he marched through the State into Pennsylvania. Strict orders were issued to respect private property, but the Baltimore and Ohio Railroad, being in the service of the United States, was destroyed from Cumberland to Harper's Ferry. At Gettysburg, in Penn-

sylvania, the Confederate army was confronted by the Union forces under the command of General Meade, and was defeated after a terrible battle which continued during the 1st, 2d, and 3d of July. On the night of the 4th, General Lee commenced his retreat to Virginia.

**10.** Maryland was again invaded in the summer of 1864, by General Early, with a force of twenty thousand men. He crossed into Montgomery county opposite Poolesville, and defeated General Wallace at the Monocacy River. Soon after, he threatened Fort Stevens, one of the defences of Washington; but, reinforcements arriving, he was compelled to retreat across the Potomac. During this raid the citizens of Frederick were obliged to pay two hundred thousand dollars to save their town from destruction, and a contribution of one hundred thousand dollars in money and goods was levied on the citizens of Hagerstown.

**11.** In April, 1864, a convention was held for the further revision of the State constitution. By this convention a registration of voters was provided for, the principle of representation according to population was adopted, the power of appointing magistrates was restored to the governor, and a State board of education was created, consisting of the governor, the lieutenant-governor, the speaker of the House of Delegates, and the State superintendent of education. It was also declared "that hereafter, in this State, there shall be neither slavery nor involuntary servi-

tude, except in punishment of crime whereof the party shall have been duly convicted; and all persons held to service or labor as slaves are hereby declared free."

**12.** On the 9th of April, 1865, General Lee surrendered to the Army of the Potomac, commanded by General Grant; and a few weeks later saw the termination of the most desperate conflict of modern times. In spite of the prophecies of other nations to the contrary, the armies of the North and the South were disbanded rapidly and without disturbance, and at the close of the year most of the soldiers had returned to their homes and quietly resumed the occupations of peace.

### QUESTIONS.

1. What state of feeling existed previous to the civil war?
2. What brought matters to a crisis? When was secession effected? What occurred in April, 1861?
3. What was the position of Maryland at the beginning of the civil war?
4. Give an account of the riot in Baltimore.
5. What was done by General Butler? By the State Legislature?
6. What was the result of the November election? What was done by the new Legislature?
7. What is said of the events of 1861? What occurred in the fall of 1862?
8. Give an account of the battle of Antietam.
9. What occurred during the second invasion of Maryland? Give an account of the battle of Gettysburg.
10. Give an account of General Early's invasion of Maryland.
11. What was done by the convention of 1864?
12. Give an account of the surrender of General Lee.

## CHAPTER XXII.

## NEW STATE CONSTITUTION.

<b>Comptroller</b> (kon-trôl'ler). A title given to a public officer whose duty it is to examine and certify accounts.	visit for the administration of justice.
<b>Circuit</b> (sir'kit). A division of a state or a country established by law for a judge or judges to	<b>Supreme bench.</b> The persons who sit as judges of the supreme court.
	<b>Fiscal.</b> Pertaining to the public treasury or revenue.

1. THE people of the Confederate States had suffered most severely by the war. To alleviate in some measure their wide-spread distress, the ladies of Baltimore organized a Southern relief society, and in 1866 opened a fair, which realized a large sum of money. Other States and countries joined in the good work, and George Peabody, a former resident of Baltimore, then living in London, contributed the immense sum of two million dollars as a fund for the establishment and support of schools throughout the South.

2. In addition to this, he munificently endowed the institute which bears his name, and which was inaugurated in October, 1866. The object of the Peabody Institute is to provide for the citizens of Baltimore a free library and gallery of art, together with courses of lectures and an academy of music. Mr. Peabody also gave liberally to the Maryland Historical Society, and the greater part of his vast fortune



was distributed for benevolent purposes. He died, universally regretted, in 1869.

**3.** In 1867 the present State constitution was adopted, that of 1864 being unsatisfactory to the people. The government consists of three branches—legislative, executive, and judicial. For political purposes, the State is divided into twenty-three counties, which constitute six congressional districts, eight judicial districts, and twenty-six senatorial districts. The counties are subdivided into election districts, and the election districts into school districts.

**4.** The legislative department consists of a Senate and a House of Delegates, and is styled the General Assembly of Maryland. The Senate is composed of twenty-six members, one from each county and three from Baltimore City. They are elected for four years, one-half of the number being chosen every second year. The House of Delegates consists of ninety-one members, elected for two years. Sessions of the General Assembly are held biennially, and cannot be extended over ninety days except at the expense of the members; but extra sessions may be convened by the governor, continuing for thirty days.

**5.** The executive department consists of a governor, a secretary of state, a comptroller of the treasury, a treasurer, and an attorney-general. The governor, attorney-general, and comptroller are elected by the people—the first two for four years, the latter for two years. The treasurer is elected by the General

Assembly for two years. The secretary of state, commissioner of the land-office, State librarian, State tax commissioner, and members of the State board of education are appointed by the governor.

6. The judicial department consists of a court of appeals, circuit courts, special courts for Baltimore City, orphans' courts, and justices of the peace. The court of appeals is composed of the chief-judges of the first seven judicial circuits and a judge specially elected in the city of Baltimore. The governor designates the chief-justice of this court from among this number.

7. In the city of Baltimore there is a special system of courts, consisting of the supreme bench, the superior court, court of common pleas, city court, circuit court, and criminal court. The judges of all these courts are elected by the people, and hold office for fifteen years. Each county, and also the city of Baltimore, has an orphans' court, composed of three judges elected for four years. Justices of the peace are appointed by the governor, and constables are appointed by the county commissioners and by the mayor and Council of Baltimore City. They hold office for two years.

8. Each county in the State elects the following officers, and for the term designated: a clerk of the circuit court and a register of wills, who acts also as clerk of the orphans' court, six years; a board of county commissioners, two years; sheriff, two years; State's attorney, four years; and surveyor, two years.

Other county officers are tax-collectors, in some counties treasurers, board of school commissioners, and county examiner of schools. The county commissioners have control of the fiscal affairs of the county, its roads, paupers, etc., and they appoint a clerk, tax-collector, constables, judges of elections, and road supervisors. Maryland constitutes part of the Fourth Judicial Circuit of the United States.

**9.** The new constitution was adopted by over twenty thousand majority, and Oden Bowie, who had served with honor in the Mexican war, was elected the first governor under its provisions, in November, 1867. In July of this year a tremendous flood occurred in the valley of the Patapsco, resulting in serious loss of life and great damage to property. The lower parts of the city of Baltimore were submerged, and at Ellicott City thirty-four lives were lost.

**10.** The Legislature of 1870 was composed entirely of members belonging to one political party. It refused by a unanimous vote to accept the Fifteenth Amendment to the Constitution of the United States. This amendment, however, having received the assent of the requisite number of States, became part of the Constitution, and, in consequence, of "the supreme law of the State." Under its provisions the colored population of the State are entitled to all political privileges.

### QUESTIONS.

1. Give an account of the Southern Relief Society. What was done by George Peabody?

2. What is said of the Peabody Institute?
3. When was the present State constitution adopted? How is the State divided for political purposes?
4. Of what does the legislative department consist?
5. What constitutes the executive department?
6. Of what does the judicial department consist?
7. What is said of the courts of the city of Baltimore?
8. What officers are elected in each county, and for how long?
9. What is said of Governor Bowie? Of the great flood of 1867?
10. Give an account of the Legislature of 1870. Of the Fifteenth Amendment.

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## CHAPTER XXIII.

### RECENT EVENTS.

<b>Legend</b> (lē'jend). An inscription on a medal or a coat of arms.	<b>Romanesque</b> (ro - man - esk'). The style of architecture adopted by the later Roman empire.
<b>Civic</b> . Relating to a city or citizen.	<b>Colossal</b> . On a large scale; gigantic.

1. In 1875 the new city-hall of Baltimore—one of the finest structures of the kind in the country—was appropriately dedicated. The building is faced with white marble from the quarries of Baltimore county, and cost nearly two and one-half millions of dollars to erect. A year later the Johns Hopkins University was opened. This institution was established in accordance with the will of Johns Hopkins, a wealthy citizen of Baltimore, who died in 1873 and left a bequest of six millions of dollars to found a university and a hospital. The magnificent hospital buildings

were completed some years later, and are admirably arranged for the purpose for which they were designed. A home for colored orphans was also included in the provisions of Mr. Hopkins's will.

2. By a resolution of the General Assembly in 1876, the great seal of the State was altered so as to conform to the seal furnished the province in 1648 by Cecilius, Lord Baltimore. The motto is "*Fatti maschii, parole femine*"—"manly deeds, womanly words," or, by a more liberal rendering, "courage and courtesy." The legend surrounding the shield—"Scuto bonæ voluntatis tuæ coronasti nos"—is translated "Thou hast crowned us with the shield of thy favor," referring to the kindness and liberality of the king to Lord Baltimore.

3. The first great seal of Maryland was brought over by Leonard Calvert in 1634, and was taken from the province by Richard Ingle during the Claiborne rebellion. In 1648, Lord Baltimore issued a new seal, which was lost or stolen during the government of Crom-



STATE SEAL.

well's commissioners. Another was sent over in 1658, and was used until 1726, when a different seal was substituted. In 1765, however, the former seal was resumed, and continued in use, with some later

modifications, until the act of Assembly restored the original. The great seal is committed to the care of the governor, and is kept in the executive chamber of the State-house, at Annapolis.

4. In 1877 an extensive "strike" of the railroad-men commenced on the Baltimore and Ohio road, and rapidly extended throughout the country. Great damage was done to railroad property through the riots which ensued, and travel and transportation were seriously interfered with. Military force was finally resorted to, and after considerable bloodshed the riots were suppressed. Owing to the promptness of the military movements in Maryland, less destruction occurred there than in some other States.

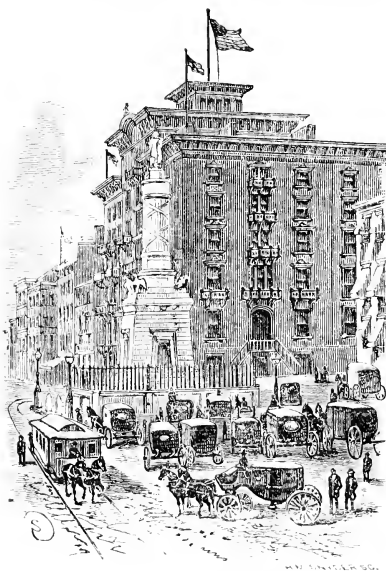
5. In 1880 the city of Baltimore celebrated the one hundred and fiftieth anniversary of her foundation. The precise date of that event was January 12th, but, in order to have a favorable season for outdoor demonstrations, October was designated as the time for the celebration. The festivities began on the 11th, and ended on the 19th with a grand illumination of the city. A leading feature of the various civic processions was the illustration of progress as shown in the contrast between the rude appliances of the early colonial days and the labor-saving inventions of modern science. The colors of the Calvert family—black and orange—were everywhere profusely displayed.

6. Early in the year 1882, Mr. Enoch Pratt, a merchant of Baltimore, gave to that city over a million dollars to secure an annuity for a free library which

he designed to found and equip. The building for the library—which is now in successful operation—was completed in 1885. It is of the Romanesque style of architecture, and contains room for two hundred thousand volumes.

7. In 1882 a monument was dedicated in Baltimore to Colonel Armistead, who commanded Fort McHenry during its bombardment by the British fleet in 1814. On account of its numerous memorials of this character, Baltimore is often called the “Monumental City.” The Battle Monument—erected

to the memory of those who fell at the battle of North Point in defence of the city—was raised in 1815. The Washington Monument was completed in 1829; it consists of a lofty column of white marble surmounted by a colossal statue of Washington. In 1883 provision was made for raising a monument at Annapolis in honor of



BATTLE MONUMENT, BALTIMORE.

Baron de Kalb, and in 1886 the General Assembly appropriated fifteen thousand dollars for the erection

in Baltimore of a similar testimonial in memory of Francis Scott Key.

8. Among the acts of an important character passed by the General Assembly in 1886 was one providing for taking a vote, in the autumn of 1887, on the question of calling a convention to frame a new constitution. A bill was also passed requiring education on the subject of temperance in the public schools of the State; and another, giving to the governor the appointment of school commissioners in Montgomery, Prince George, Charles, and Caroline counties. In the other counties the law authorizing the circuit courts to make such appointments was not interfered with.

9. The population of Maryland at this time numbers at least a million souls. Two centuries and a half have elapsed since the Ark and the Dove disembarked at St. Mary's the handful of adventurous spirits who sought security and religious freedom in the New World. The province founded in the spirit of justice and toleration has become a great and prosperous commonwealth, and the few struggling colonies in existence along the Atlantic have grown into a mighty empire stretching from sea to sea. Regarding the wonderful growth both of the State and of the nation, Maryland may well adopt the higher meaning of the legend on her great seal of state: "Thou hast crowned us with the shield of Thy favor."



**QUESTIONS.**

1. Give an account of the new city-hall. What is said of the Johns Hopkins University and hospital?
2. Describe the present great seal of the State.
3. Give the history of the great seal.
4. Give an account of the railroad "strike" in 1877.
5. Describe the one hundred and fiftieth anniversary of the founding of Baltimore.
6. What was done by Mr. Enoch Pratt in 1882?
7. What is said of Baltimore and its monuments?
8. What important acts were passed by the General Assembly of 1886?
9. What is the present population of Maryland? What is said of the progress of the State and of the nation?



# BIOGRAPHICAL NOTICES

## OF

### MARYLAND PATRIOTS, STATESMEN, THEOLOG- IANS, AND PHILANTHROPISTS.

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**Joshua Barney**, a commander in the United States navy, was born in Baltimore, July 6, 1759. He early manifested an inclination for a sea-life, and made several voyages before he was sixteen years old. In 1775 he was master's mate on the sloop-of-war *Hornet*, and, while recruiting for volunteers, carried the first United States flag ever displayed in Maryland. At the age of seventeen he was made lieutenant for gallant conduct.

He was engaged in many naval fights during the Revolutionary war, and was twice taken prisoner. He was kept in England for some time, but at length escaped, and reached Philadelphia in March, 1782. He was at once appointed to the command of the *Hyder Ally*, a small vessel of sixteen guns, with which he captured the British war-vessel *General Monk*, of twenty guns, after a fight of less than half an hour.

In 1795 he was appointed captain in the French navy, but in 1800 he resigned his commission and returned home. During the war of 1812 he commanded the Chesapeake flotilla. He also took part in the battle of Bladensburg, in which he was severely wounded.

In 1815 he was sent on a mission to Europe. He died in 1819, while on his way to Kentucky, aged sixty years. He was a thorough seaman, of indomitable courage, rough and impetuous, but possessed of good principles and a kind heart.

Commodore Barney was in public service forty-one years, fought twenty-six battles, and was voted a sword by the Legislature of Pennsylvania, and one by the corporation of Washington.

**Charles Carroll** of Carrollton was born at Annapolis, September 20, 1737, and died November 14, 1832. He was a patriot of the American Revolution, one of the signers of the Declaration of Independence, and the last survivor of that eminent band, having lived to see the



CHARLES CARROLL.

republic increase in population from three millions to over thirteen millions. He was educated in France. His vast estate made him in 1776 the richest man in America; but he risked all his wealth in the cause of political freedom, urging the people to resistance and advising the burning of a vessel which had brought tea into the harbor of Annapolis.

In 1775 he was a member of the committee of observation, and a delegate to the provincial convention.

In 1776 he went with Dr. Franklin, Judge Chase, and Rev. John—afterward Archbishop—Carroll, to induce the Canadians to unite with the colonies. When he signed the Declaration, he appended the name of his

estate to his signature, so that no other of the numerous family of Carrolls might suffer by his act. In 1788 he was elected a senator of the United States, and he continued in public life till 1810, when he retired and devoted himself to the care of his estate.

On the Fourth of July, 1828, he laid the corner-stone of the Baltimore and Ohio Railroad, in the presence of a vast concourse of citizens. He died in the ninety-sixth year of his age, honored and revered by the American people.

**John Carroll**, born at Upper Marlboro' in 1735, was an eminent prelate of the Roman Catholic Church, and the first archbishop of that Church in the United States. He was educated in France, and when ordained a priest gave his estate to his brother and took the vow of poverty required by the Society of the Jesuits.

At the outbreak of the Revolution he left an honorable position in England, and returned to America to share the trials of his countrymen. He went with his cousin, Charles Carroll of Carrollton, Samuel Chase, and Benjamin Franklin, on a mission to Canada, returning home with the latter, with whom he formed a warm and enduring friendship. He was consecrated bishop in 1789, in England, with the title of bishop of Baltimore. He was of a kind and liberal spirit, and was loved and respected by all denominations of Christians. He died December 3, 1815, at the age of eighty



ARCHBISHOP CARROLL.

years. During his episcopate the cathedral in Baltimore was begun. This was for many years the most costly ecclesiastical building in the United States. It contains two valuable paintings presented by the king of France.

**Samuel Chase**, a signer of the Declaration of Independence, and a judge of the United States supreme court, was born in Somerset county in 1741. The son of an Episcopal clergyman, he received a thorough education, and at the age of twenty years began the practice of the law in Annapolis. He was an ardent patriot, a leader of the friends of liberty, and a member of the Continental Congress of 1774.

In 1776 he went with the Carrolls and Franklin on the mission to Canada. On his return he traveled through Maryland, arousing the people to resist British oppression. Through his eloquence and influence the delegates were instructed to vote for the Declaration, of which he was the ardent supporter.

In 1783 he went as commissioner to England to recover funds belonging to Maryland, and secured payment of six hundred and fifty thousand dollars. He was made chief-justice of the State court, and in 1796 was appointed by Washington an associate justice of the supreme court. In 1804 he was impeached for misdemeanor in conducting political trials, but was acquitted by the Senate.

The reputation of Samuel Chase is that of a pure patriot and a learned judge, although he was sometimes overbearing and irascible. No statesman of the Revolution was more earnest, or contributed more to secure for his State the noble record which she won in the great struggle for independence. He died June 19, 1811, aged seventy.

**Thomas John Claggett** was born October 2, 1743, near Nottingham, Prince George county. He was the son of the Rev. Thomas Claggett, who died rector of William and Mary parish, Charles county, in August, 1756. His mother died soon after his birth. Left thus early an orphan, he was placed under the care of the Rev. Mr. Eversfield, his uncle, rector of the parish where he was born. After having been prepared therefor at the Lower Marlboro' Academy, in Calvert county, he entered Princeton College, New Jersey, where he graduated in September, 1764. Having pursued a course of theological study under Mr. Eversfield, he repaired to England, and was ordained there as deacon by the bishop of London, September 20, 1767, and as priest, October 11, 1767.

Bishop Claggett's ancestor Thomas Claggett had come over from England and settled in Calvert county in 1671. He was the son of Colonel Edward Claggett, of London, a maternal ancestor



BISHOP CLAGGETT.

of whom had been lord mayor of London, and a paternal ancestor lord mayor of Canterbury. Finding descendants of his ancient relatives in England, Mr. Claggett prolonged his stay there nearly a year, with great pleasure and advantage to himself.

On his return to Maryland, in the spring of 1768, he was placed in charge of St. Ann's church, Annapolis, during a vacancy in the rectorship, and in March, 1769, he became rector of All Saints parish, Calvert county.

There very early in his ministry he succeeded in building a large new church, which still remains. Soon after this he married Miss Gantt, the daughter of one of his parishioners.

Mr. Claggett had entered the ministry in the troublous and exciting times preceding the Revolution; and when it began, he was found on the side of American liberty, and was placed on the county committee of correspondence. When, however, the convention wished to absolve the clergy from their canonical oaths, he refused to comply, and for some time performed the usual services at the point of the bayonet, but soon removed to his estate in Prince George county. On the death of the old rector, he took charge of the parish, though he had been invited to the charge of Queen Caroline parish, in Anne Arundel, and to that also of St. Thomas, Baltimore county. The result of the contest with Great Britain he hailed as a "glorious revolution." In 1786 he became rector of St. James parish, Anne Arundel county, and while there, in 1792, was made bishop of the Protestant Episcopal Church in Maryland. Soon after this he removed to his estate in Prince George, where he was also again rector of the parish. He suffered in his later years from frequent attacks of illness, but continued in his episcopate till his death, which took place in 1816, at the age of seventy-three.

**John Eager Howard.**—This renowned Revolutionary soldier and statesman was born in Baltimore county, June 4, 1752. In 1776 he commanded a company in the flying-camp under General Mercer, and took part in the battle of White Plains. He was with General Washington, as major of a Maryland regiment, in the battles of Germantown and Monmouth. As



lieutenant-colonel he was with De Kalb in the South, and fought at Camden, South Carolina.

At the battle of Cowpens, January 17, 1781, he turned the fortune of the day, and secured a victory for the Americans, by a gallant bayonet-charge. This was the first occasion during the war in which the bayonet was effectively used by the Americans. At one period of the day Colonel Howard held the swords of seven British officers who had surrendered to him. In testimony of his valor, he received from Congress a silver medal.

He commanded the Second Maryland Regiment at Eutaw Springs. In the effort to dislodge the enemy, his command was reduced to himself, a single commissioned officer, and thirty men. With this little band he was returning to the charge, when he received a wound from which he never entirely recovered.

Colonel Howard was highly esteemed by the people of Maryland. He held the office of governor three years. He was United States senator six years. In 1798 he was selected by Washington as one of his brigadier-generals, war with France being then expected.

In 1814, when Baltimore was threatened by the British, the veteran patriot was active in preparing for defence, declaring that he would rather see his property in ashes and his sons in their graves than capitulate to the foe.

He died October 12, 1827, aged seventy-five years, universally lamented. Of Howard, General Greene said that "he deserved a statue of gold no less than Grecian and Roman heroes."

**Francis Scott Key**, the author of the "Star-Spangled Banner," was a native of Maryland. He was born in Frederick county, August, 1779, and died

on a visit to his daughter, Mrs. Howard, in Baltimore City, January, 1843.

He graduated at St. John's College, Annapolis, at the early age of seventeen. In his class were Robert Henry Goldsborough, subsequently United States senator, and his friend, Daniel Murray, Dr. John Shaw, and others, called by their distinguished president his "tenth legion," on account of their brilliant success in their studies.

After leaving college he studied law, and became a member of the bar in Frederick. Soon after, he married, in Annapolis, the youngest sister of Governor Edward Lloyd, and removed to the District of Columbia. There he attained to high prominence in the neighboring county courts and in the United States supreme court, where from the first he received encouraging notice from Chief-Justice Marshall.

In person, Mr. Key was above the medium height, and slender in form. His voice was sonorous, but flexible and pleasing. His articulation was distinct, and his gestures were natural and graceful. His self-possession was complete, and his style of speech was clear, chaste, and beautiful. As an orator he had few equals, and fewer superiors.

Mr. Key's poem "The Star-Spangled Banner" will cause his name to be ever remembered by his countrymen. An account of the circumstances under which it was composed was written by his brother-in-law, the late Chief-Justice Taney, and is substantially as follows:

The British troops, returning to their ships after having burned the public buildings and records at Washington, while passing through Prince George county arrested Dr. Beanes, a well-known and influential citizen. Mr. Key obtained permission to visit the admiral and endeavor to procure the release of the prisoner.

While on this errand, Mr. Key was detained by the commander of the fleet until an attack about to be made upon Baltimore should be over. He was placed on his own vessel, under a guard of marines, and remained on deck during the night, watching the course of every shell as it was fired, and waiting with the utmost anxiety for the dawn of day.

As the light came, he turned his glass toward the fort, and saw that "our flag was still there." Under the excitement of the night-watch, "The Star-Spangled Banner" was composed. Brief notes were penciled upon the back of a letter while the enemy was retreating, and the song was finished in the boat on the way to the shore.

Mr. Key was a polished Christian gentleman, hospitable, cheerful, social, and widely known both in his civic and in his professional reputation. He was an orator, a poet, a patriot, and a philanthropist,—one whose memory Maryland delights to honor.

**John McDonogh**, the founder of the McDonogh Institute for the relief of destitute boys, was born in Baltimore, December, 1779, and died in New Orleans, October 26, 1850. His father fought in the hottest battles of the Revolutionary struggle.

Young McDonogh received from pious parents a plain education. In 1803 he removed to New Orleans, where he engaged in mercantile business with distinguished success. In the war of 1812 he served in the ranks, under General Jackson,

Unmarried, and with no expensive tastes or habits, Mr. McDonogh soon became wealthy. His investments were chiefly in real estate near New Orleans, which rapidly increased in value.

By will, he devised all his property to the cities of Baltimore and New Orleans for the support of free schools for the poor of both sexes, irrespective of color. In these schools certain branches are to be taught, the Bible is to be used at all times, singing-classes are to be established, and the children are to be instructed in a knowledge of their duty to God and to man.

By litigation the estate suffered great diminution, so that the benevolent plans of the liberal projector were not fully carried out. The city of Baltimore, however, received about five hundred thousand dollars, with which an institution was established in accordance with the will of the donor.

A monument was erected to the memory of John McDonogh, July 13, 1865, in Greenmount Cemetery, by the authorities of Baltimore and New Orleans, in the presence of a large assembly.

**William Paca**, a patriot of the Revolution, and a signer of the Declaration of Independence, was born in Harford county, October 31, 1740. He enjoyed the advantages of a thorough classical and legal education. He was a member of the provincial Legislature in 1771, and was eminent for his advocacy of the rights of the colonies, and for his opposition to the tyranny of the king. As a member of the Continental Congress, he affixed his name to the Declaration of Independence. He held many offices of dignity and trust. For two years he was a senator; from 1778 to 1780, judge of the supreme court; and in 1782, governor of Maryland, to which office he was re-elected in 1786, being then a member of Congress.

In 1789 he was appointed judge of the district court

of the United States for Maryland, which office he held at the time of his death, in 1799.

He is represented to have been a man of great worth, distinguished for a highly-cultivated intellect, for polished manners, and for public and social virtues. The State-house at Annapolis is adorned by a splendid portrait of this eminent citizen and patriot.

**Charles Wilson Peale**, an American painter, was born in Chestertown, Kent county, April 16, 1741. He was by trade a saddler, but, having an almost universal genius, he followed at different times the occupations of watch and clock maker, silversmith, preserver of animals, dentist, and public lecturer.

He received instruction in the art of painting from Hesselius, a German, to whom he gave a saddle for the privilege of seeing him paint.

Peale made for himself a violin and a guitar, and was the first dentist in America who prepared sets of enamel teeth. In all these arts he was chiefly self-taught.

By the aid of friends he went, in 1770, to London, where he became a pupil of the renowned Benjamin West. Returning to America, he first established himself in Annapolis, but afterward settled in Philadelphia, where for many years he was the chief portrait-painter in North America.

Mr. Peale was a patriot, and commanded a company in the battles of Trenton and Germantown. He was opposed to slavery, and, as a member of the Legislature of Pennsylvania, urged the passage of an emancipation act.

In 1785 he commenced in Philadelphia the celebrated Peale's Museum, which for many years was the largest and most valuable collection of natural curiosities in

the United States. Its principal attraction was an entire skeleton of a mammoth. He also established a museum in Baltimore. Mr. Peale died, after a life of extraordinary exertion and temperance, in 1827, aged eighty-five years. His son Rembrandt was an artist of great merit.

**William Pinkney**, one of the most eminent lawyers and statesmen of Maryland, was born at Annapolis, March 12, 1764. Early in life he gave indication of unusual talent. At eighteen years of age he commenced the study of medicine, but soon abandoned it for the law. His first efforts in this field established his reputation. In 1788—then only twenty-four years old—he was a member of the convention which ratified the Constitution of the United States, and subsequently he was elected to the House of Delegates, to the Senate, and to the Council.



WILLIAM PINKNEY.

In 1796 he was sent to London by President Washington as commissioner, and in 1804 returned to be attorney-general of his native State. In 1806 he went to England as minister, returning in 1811 to be Attorney-General of the United States.

In the war of 1812 he was a captain of volunteers, and was severely wounded at the battle of Bladensburg. He was afterward a member of Congress, minister to Russia, and special minister to Naples.

In 1819 he was elected to the United States Senate.

Here he was one of the leading orators, and possessed great influence. He advocated the Missouri Compromise, by which it was determined that slavery should be excluded from all States erected out of territory north of latitude  $36^{\circ} 30'$ .

Pinkney died February 22, 1822, aged fifty-eight years. He was by general acknowledgment at the head of the American bar, occupying the same position as that held by Daniel Webster some years later, and afterward by an eminent Maryland lawyer and statesman, Reverdy Johnson.

**Edgar Allan Poe**, a famous author, was born in Boston, January 19, 1809. His parents were connected with the theatrical profession, and at the time of his birth were fulfilling an engagement in that city. His father, Daniel Poe, was a Baltimorean of good family.

In 1811, Poe's father and mother died, and he was adopted by his godfather, Mr. Allan, a wealthy merchant of Balti-



THE POE MEMORIAL.

more, who sent him to school in England. After re-

maining there some years, he was placed at an academy in Richmond, Virginia, and at the age of seventeen entered the University of Virginia. While here he became alienated from his godfather, and disappeared for two years, returning to Richmond in 1829. The next year he entered West Point, but his literary inclinations led to neglect of duty and disobedience of orders, which finally resulted in his dismissal.

Poe's first literary success was in 1833, when he was awarded the prize for a story in one of the Baltimore papers. The rest of his life was devoted to literature, and he was for fifteen years connected with magazines in Richmond, New York, and Philadelphia. The assertion that he was for a great part of this time incapacitated for permanent employment by reason of intemperate habits seems to be utterly unfounded, though it appears that toward the close of his life, through domestic anxieties and other causes, he had recourse to stimulants. He died in Baltimore in 1849. A monument was erected to his memory some years later by the teachers and scholars of the Baltimore public schools.

Poe's writings include a large number of poems, tales, essays, and criticisms which display great inventive power. They combine remarkable grace and smoothness with weird and terrible impressiveness, and show in vivid colors the heights and depths of human passion and sentiment.

**Samuel Ringgold**, an officer of the regular army of the United States, was born near Hagerstown, in Washington county, in 1800. Having received a thorough military education at West Point, he was commissioned second lieutenant when only eighteen years old. He was much esteemed by General Scott, under whom



he served as aide-de-camp. For gallant conduct in the Florida war against the Seminole Indians, he was brevetted major.

Major Ringgold organized a corps of flying-artillery, which he brought to a high degree of efficiency. His battery was stationed at Fort McHenry, near Baltimore, and attracted the attention of citizens and strangers, who witnessed with admiration the rapidity and precision of the evolutions.

He was killed at Palo Alto, in Texas, May 11, 1846, during the war with Mexico. His funeral in Baltimore was attended by a large number of citizens and soldiers, and witnessed by vast crowds of people.

The mansion where Ringgold was born is now the College of St. James.



SAMUEL RINGGOLD.

**John Rodgers**, an eminent naval commander, was born in Harford county in 1771. He entered the navy as lieutenant in 1798, and continued in the service till his death, in 1838. He was a gallant and valuable officer, and rendered efficient service both on land and at sea. His first fight was with a French frigate, which he captured and brought into port. With a very weak prize crew, he kept down the prisoners, who were inclined to mutiny, and worked the ship through a gale of three days' continuance.

He had command in the war with Tripoli, and was actively engaged during the war of 1812. For many

years he served as president of the board of navy commissioners.

**Moses Sheppard.**—The founder of the Sheppard Asylum for the Insane was born in 1773, and died February 1, 1857, aged eighty-four years. It was not until he was dead that the world knew of the grand design which he had entertained through life. His object was, by diligence in business and by prudent economy, to acquire the means to do good to his fellow-men.

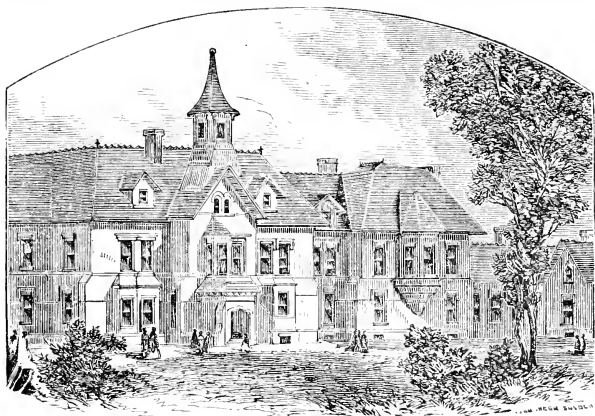
When quite young, he served in a store at Jericho Mills kept by Jesse Tyson. In 1793 he went to Baltimore and obtained employment in a grocery and provision store on Cheapside. His good behavior, diligence, and integrity won the confidence of his employer, and the poor orphan boy became successively chief assistant, partner, and sole proprietor. By practicing rigid economy and exercising a judicious discretion in his investments, he eventually increased his fortune to the sum of six hundred thousand dollars.

His religious sentiments were those of the Society of Friends, and his attendance upon meeting was constant almost to the time of his death. After he died, the purpose for which he had labored so diligently and lived so prudently was found to be to benefit those afflicted creatures who most need sympathy and protection. He wished the experiment to be tried, to ascertain how much good can result from close attention, with ample means, to everything which can alleviate the condition of the insane.

The asylum which bears his name is a splendid edifice, a noble monument to the memory of a good man and a true philanthropist. The plan of the building was suggested by Dr. D. T. Brown, who visited Europe

to examine insane hospitals with special reference to their being *curative* in construction and administration. Much more space is afforded to the patients than is customary in such institutions.

The structure is fireproof throughout, and great care has been directed to ventilation, warming, and the supply of water. In addition to the usual arrangement of wards, there is a convalescent department, which affords



SHEPPARD ASYLUM.

the comforts and conveniences of a first-class country residence. Free from all appearances of restraint, it offers to the inmates facilities for probationary treatment before they finally return to their homes.

The grounds attached to the asylum comprise three hundred and seventy-five acres, which are provided with roads and paths for exercise, that patients may have every advantage without the exposure of riding or walking on public highways.

**Thomas Stone**, the youngest of the Maryland

signers of the Declaration of Independence, was a lineal descendent of William Stone, who was governor of the province during the protectorate of Oliver Cromwell. He was born in Charles county in 1743, and received his education under the care of a Scotch gentleman of erudition and taste. He studied law at Annapolis, and commenced its practice at Fredericktown in 1769, but soon removed to Charles county. As a member of the Continental Congress, he stood forth a champion of his country's rights and honor. He was again a member of Congress when Washington resigned his office of commander-in-chief, and witnessed that sublime ceremony.

In 1787 he was appointed a delegate to the convention which formed the Constitution of the United States, but was obliged to decline. He died during the autumn of this year, at the early age of forty-four years, greatly lamented by all patriotic citizens. He was repeatedly a member of the Senate of Maryland, and was in a variety of ways devoted to the liberty and welfare of the colonies. His early death deprived Maryland of the counsels of a citizen who, by his prudence, energy, and wisdom, had won the respect and confidence of all classes of the people.

**Roger Brooke Taney**, whose ancestors on both sides were among the early settlers of Maryland, was born in Calvert county on the 17th of March, 1777, and was educated at Dickinson College, Carlisle, where he graduated in 1795. In the spring of 1796 he commenced the study of the law at the city of Annapolis, and was admitted to the bar in the spring of 1799.

On his return to his native county, he was in the fall of the same year elected to the House of Delegates, and, having removed in 1801 to Frederick City, he was

in 1816 elected a member of the Senate of Maryland, and continued in that body until 1821.

In 1823 he removed to the city of Baltimore, and in 1827 was appointed attorney-general of Maryland by the governor and Council, though belonging to a different political party. He continued to hold the office of attorney-general of Maryland until June, 1831, when he was appointed Attorney-General of the United States. This office he resigned in September, 1833, upon being appointed Secretary of the Treasury.



ROGER BROOKE TANEY.

His nomination for that position was rejected by the Senate in June, 1834, and he then resumed the practice of his profession.

During the brief period that he held the office of Secretary of the Treasury, the Senate had an anti-administration majority, which favored the renewal of the United States Bank and opposed the policy of removing the deposits of government funds to local banks selected by the Secretary. This subject caused much debate between the political parties then known as Whigs and Democrats.

In 1835, Mr. Taney was nominated as associate justice of the supreme court; but the Senate, being still opposed to the President, did not act upon the nomination. In March, 1836, upon the death of Chief-Justice Marshall, Mr. Taney was confirmed by the Senate (which had changed its political majority) as chief-justice of the supreme court of the United States upon his nomina-

tion to that office by President Jackson. He took his seat upon the bench of the supreme court of the United States in January, 1837, retaining this position until his death, which took place, in the city of Washington, on the 12th of October, 1864, in his eighty-eighth year. Since the foundation of the government there have been six chief-justices, two of whom—Marshall and Taney—held the seat for sixty-four years, from 1800 to 1864.

Mr. Taney was esteemed for his high moral and religious character as well as for his legal attainments. Though reaching an unusual age, he retained the vigor and clearness of mind which characterized his earlier years, and continued to occupy his seat upon the supreme bench almost to the day of his death.

**Otho Holland Williams**, a distinguished Revolutionary officer, was born in Prince George county, Maryland, in 1749. His ancestors were Welsh, and came to America soon after Lord Baltimore became proprietor of Maryland. He was early left an orphan, and spent a number of years in the clerk's office of Frederick county, and in a similar position in the city of Baltimore. In the beginning of the Revolutionary struggle he was made lieutenant of a rifle company, and joined the American army at the siege of Boston.

In 1776 he was appointed major of a rifle regiment, and was in command of the regiment when it was captured at the taking of Fort Washington, New York, by the British. In this action Major Williams withstood the attack of the Hessian column with determined bravery, and was severely wounded. After the surrender of Burgoyne he was exchanged, and was appointed colonel of the Sixth Maryland regiment. He took an active part in the campaigns at the South, and

after the reduction of Charleston accompanied Baron de Kalb to South Carolina, and was made adjutant-general when General Gates assumed the chief command. He ably seconded General Greene at Guilford and Hobkirk, and by his brilliant charge at Eutaw he decided the fortune of the day. In recognition of his distinguished services he was made brigadier-general in 1782. After the war he was appointed collector of customs for the State of Maryland, and held that office until his death, in 1794.

**William Wirt** was born in Bladensburg, November 8, 1772. His father was a native of Switzerland; his mother, of Germany. At the age of eight years he was left an orphan under the care of his uncle. He attended school four years, and when fifteen years old had completed the course of Latin and Greek classics usually taught in the academies. Not having the means of procuring a college education, he taught school for two years. He then commenced the study of law, and at the age of twenty was admitted to practice at Culpeper court, in Virginia, where he became acquainted with Jefferson, Madison, and Monroe. He was clerk of the House of Delegates and chancellor of the Eastern Shore.



WILLIAM WIRT.

In 1807 he assisted at the trial of Aaron Burr, and displayed learning and eloquence which established his reputation as one of the leading orators of the day.

In 1816 he was attorney of the United States for Virginia. In 1817 he was appointed by President Monroe Attorney-General of the United States, which office he held twelve years. Retiring from public life, he removed to Baltimore and devoted himself to the practice of his profession. In 1832 he was the candidate of the Anti-Masonic party for the Presidency of the United States. He died February 18, 1834, aged sixty-two years.

The reputation of Wirt as a scholar and a writer was high, and in all the relations of private life, as a man and as a Christian, he was regarded with affection and veneration. He published several works, of which the "Life of Patrick Henry" is the most popular. It has been styled "a most masterly handling of the pen of biography."



## COUNTIES OF MARYLAND.

Counties.	Organized.	Population, 1880.	County-Seats.
St. Mary's . . .	1634	16,934	Leonardtown.
Anne Arundel . .	1650	28,526	Annapolis.
Kent . . . . .	1650	17,605	Chestertown.
Calvert . . . . .	1654	10,538	Prince Fredericktown.
Charles . . . . .	1658	18,548	Port Tobacco.
Baltimore . . . .	1659	83,336	Towson.
Talbot . . . . .	1660	19,065	Easton.
Somerset . . . . .	1666	21,668	Princess Anne.
Cecil . . . . .	1674	27,108	Elkton.
Prince George's .	1695	26,451	Upper Marlboro'
Dorchester . . . .	1699	23,110	Cambridge.
Queen Anne . . .	1706	19,257	Centreville.
Worcester . . . .	1742	19,539	Snow Hill.
Frederick . . . . .	1748	50,482	Frederick.
Harford . . . . .	1773	28,042	Bel Air.
Caroline . . . . .	1773	13,766	Denton.
Washington . . . .	1776	38,561	Hagerstown.
Montgomery . . .	1776	24,759	Rockville.
Allegany . . . . .	1789	38,012	Cumberland.
Carroll . . . . .	1836	30,992	Westminster.
Howard . . . . .	1851	16,140	Ellicott City.
Wicomico . . . . .	1867	18,016	Salisbury.
Garrett . . . . .	1872	12,175	Oakland.

NOTE.—By the act of 1850, Baltimore City was made a separate county.

## GOVERNORS OF MARYLAND.

## PROPRIETARY GOVERNORS.

1633—LEONARD CALVERT.	1662—CHARLES CALVERT.
1647—THOMAS GREEN.	1667—CHARLES, LORD BALTIMORE.
1649—WILLIAM STONE.	1678—THOMAS NOTLY.
1654—BENNETT and MATTHEWS, Par- liament Commissioners.	1681—CHARLES, LORD BALTIMORE.
1658—JOSIAS FENDALL.	1685—WM. JOSEPH, <i>Pres. of Deputies.</i>
1661—PHILIP CALVERT.	1689—CONVENTION OF PROTESTANT ASSOCIATION.

## ROYAL GOVERNORS.

1691—SIR LIONEL COPLEY.	1703—THOMAS TENCH, <i>Pres.</i>
1693—SIR EDMOND ANDROS.	1704—JOHN SEYMOUR.
1694—FRANCIS NICHOLSON.	1709—EDWARD LLOYD, <i>Pres.</i>
1699—NATHANIEL BLACKISTONE.	1714—JOHN HART.

## PROPRIETARY GOVERNORS.

1715—JOHN HART.	1742—THOMAS BLADEN.
1720—CHARLES CALVERT.	1747—SAMUEL OGLE.
1727—BENEDICT LEONARD CALVERT.	1752—BENJAMIN TASKER, <i>Pres.</i>
1732—SAMUEL OGLE.	1753—HORATIO SHARPE.
1733—CHARLES, LORD BALTIMORE.	1769—ROBERT EDEN.
1735—SAMUEL OGLE.	

## STATE GOVERNORS.

1777—THOMAS JOHNSON.	1829—THOMAS KING CARROLL.
1779—THOMAS SIM LEE.	1830—DANIEL MARTIN.
1782—WILLIAM PACA.	1831—GEORGE HOWARD.
1785—WILLIAM SMALLWOOD.	1832—JAMES THOMAS.
1788—JOHN EAGER HOWARD.	1835—THOMAS W. VEAZEY.
1791—GEORGE PLATER.	1838—WILLIAM GRASON.
1794—JOHN H. STONE.	1841—FRANCIS THOMAS.
1797—JOHN HENRY.	1844—THOMAS G. PRATT.
1798—BENJAMIN OGLE.	1847—PHILIP FRANCIS THOMAS.
1801—JOHN FRANCIS MERCER.	1850—E. LOUIS LOWE.
1803—ROBERT BOWIE.	1854—T. WATKINS LIGON.
1806—ROBERT WRIGHT.	1857—T. HOLLIDAY HICKS.
1809—EDWARD LLOYD.	1861—AUGUSTUS W. BRADFORD.
1811—ROBERT BOWIE.	1865—THOMAS SWANN.
1812—LEVIN WINDER.	1867—ODEN BOWIE.
1815—CHARLES RIDGELEY.	1871—WILLIAM PINKNEY WHYTE.
1818—CHARLES GOLDSBOROUGH.	1874—JAMES BLACK GROOME.
1819—SAMUEL SPRIGG.	1876—JOHN LEE CARROLL.
1822—SAMUEL STEVENS, JR.	1880—WILLIAM T. HAMILTON.
1825—JOSEPH KENT.	1884—ROBERT M. McLANE.
1828—DANIEL MARTIN.	1885—HENRY LLOYD.

# CONSTITUTION OF MARYLAND,

## ADOPTED BY THE CONVENTION

WHICH ASSEMBLED AT THE CITY OF ANNAPOLIS ON THE EIGHTH DAY OF MAY, EIGHTEEN HUNDRED AND SIXTY-SEVEN, AND ADJOURNED ON THE SEVENTEENTH DAY OF AUGUST, EIGHTEEN HUNDRED AND SIXTY-SEVEN.

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## DECLARATION OF RIGHTS.

*We, the People of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof, declare:*

ARTICLE 1. That all Government of right originates from the People, is founded in compact only, and instituted solely for the good of the whole; and they have, at all times, the inalienable right to alter, reform or abolish their Form of Government, in such manner as they may deem expedient.

ART. 2. The Constitution of the United States and the Laws made, or which shall be made in pursuance thereof, and all Treaties made, or which shall be made, under the authority of the United States, are, and shall be the Supreme Law of the State; and the Judges of this State, and all the People of this State, are, and shall be bound thereby; anything in the Constitution or Law of this State to the contrary notwithstanding.

ART. 3. The powers not delegated to the United States by the Constitution thereof, nor prohibited by it to the States, are reserved to the States respectively, or to the people thereof.

ART. 4. That the People of this State have the sole and exclu-

sive right of regulating the internal government and police thereof, as a free, sovereign and independent State.

ART. 5. That the Inhabitants of Maryland are entitled to the Common Law of England, and the trial by Jury, according to the course of that Law, and to the benefit of such of the English Statutes as existed on the Fourth day of July, seventeen hundred and seventy-six; and which, by experience, have been found applicable to their local and other circumstances, and have been introduced, used and practiced by the Courts of Law or Equity; and also of all Acts of Assembly in force on the first day of June, Eighteen hundred and Sixty-seven; except such as may have since expired, or may be inconsistent with the provisions of this Constitution; subject, nevertheless, to the revision of, and amendment or repeal by, the Legislature of this State. And the Inhabitants of Maryland are also entitled to all property derived to them from, or under the Charter granted by His Majesty Charles the First to Cæcilius Calvert, Baron of Baltimore.

ART. 6. That all persons invested with the Legislative or Executive powers of Government are the Trustees of the Public, and, as such, accountable for their conduct: Wherefore, whenever the ends of Government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the People may, and of right ought, to reform the old, or establish a new Government: the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind.

ART. 7. That the right of the People to participate in the Legislature is the best security of liberty and the foundation of all free Government; for this purpose, elections ought to be free and frequent; and every white male citizen, having the qualifications prescribed by the Constitution, ought to have the right of suffrage.

ART. 8. That the Legislative, Executive and Judicial powers of Government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said Departments shall assume or discharge the duties of any other.

ART. 9. That no power of suspending Laws or the execution of Laws, unless by, or derived from the Legislature, ought to be exercised or allowed.

ART. 10. That freedom of speech and debate, or proceedings in the Legislature, ought not to be impeached in any Court of Judicature.

ART. 11. That Annapolis be the place of meeting of the Legislature; and the Legislature ought not to be convened, or held at any other place but from evident necessity.

ART. 12. That for redress of grievances, and for amending, strengthening and preserving the Laws, the Legislature ought to be frequently convened.

ART. 13. That every man hath a right to petition the Legislature for the redress of grievances in a peaceable and orderly manner.

ART. 14. That no aid, charge, tax, burthen or fees ought to be rated or levied, under any pretence, without the consent of the Legislature.

ART. 15. That the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the Government; but every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of the Government, according to his actual worth in real or personal property; yet, fines, duties or taxes may properly and justly be imposed, or laid, with a political view for the good government and benefit of the community.

ART. 16. That sanguinary Laws ought to be avoided as far as it is consistent with the safety of the State; and no Law to inflict cruel and unusual pains and penalties ought to be made in any case, or at any time, hereafter.

ART. 17. That retrospective Laws, punishing acts committed before the existence of such Laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty; wherefore, no *ex post facto* Law ought to be made; nor any retrospective oath or restriction be imposed, or required.

ART. 18. That no Law to attain particular persons of treason or felony, ought to be made in any case, or at any time, hereafter.

ART. 19. That every man, for any injury done to him in his person or property, ought to have remedy by the course of the Law of the Land, and ought to have justice and right, freely with-

out sale, fully without any denial, and speedily without delay, according to the Law of the Land.

ART. 20. That the trial of facts, where they arise, is one of the greatest securities of the lives, liberties and estate of the People.

ART. 21. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him ; to have a copy of the Indictment, or charge, in due time (if required) to prepare for his defense ; to be allowed counsel ; to be confronted with the witnesses against him ; to have process for his witnesses ; to examine the witnesses for and against him on oath ; and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

ART. 22. That no man ought to be compelled to give evidence against himself in a criminal case.

ART. 23. That no man ought to be taken or imprisoned or dis-seized of his freehold, liberties or privileges, or outlawed, or ex-iled, or in any manner destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the Land.

ART. 24. That Slavery shall not be re-established in this State ; but having been abolished, under the policy and authority of the United States, compensation, in consideration thereof, is due from the United States.

ART. 25. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted, by the Courts of Law.

ART. 26. That all warrants, without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive : and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.

ART. 27. That no conviction shall work corruption of blood or forfeiture of estate.

ART. 28. That a well regulated Militia is the proper and natural defense of a free Government.

ART. 29. That standing Armies are dangerous to liberty, and

ought not to be raised, or kept up, without the consent of the Legislature.

ART. 30. That in all cases, and at all times, the military ought to be under strict subordination to, and control of, the civil power.

ART. 31. That no soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, except in the manner prescribed by Law.

ART. 32. That no person except regular soldiers, marines, and mariners in the service of this State, or militia, when in actual service, ought, in any case, to be subject to, or punishable by Martial Law.

ART. 33. That the independency and uprightness of Judges are essential to the impartial administration of Justice, and a great security to the rights and liberties of the People ; Wherefore, the Judges shall not be removed, except in the manner, and for the causes, provided in this Constitution. No Judge shall hold any other office, civil or military, or political trust, or employment of any kind whatsoever, under the Constitution or Laws of this State, or of the United States, or any of them ; or receive fees, or perquisites of any kind, for the discharge of his official duties.

ART. 34. That a long continuance in the Executive Departments of power or trust is dangerous to liberty ; a rotation therefore in those Departments is one of the best securities of permanent freedom.

ART. 35. That no person shall hold, at the same time, more than one office of profit, created by the Constitution or Laws of this State ; nor shall any person in public trust receive any present from any foreign Prince or State, or from the United States, or any of them, without the approbation of this State.

ART. 36. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to Him, all persons are equally entitled to protection in their religious liberty ; wherefore, no person ought, by any Law, to be molested in his person or estate, on account of his religious persuasion, or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil or religious rights ; nor ought any person to be compelled to fre-

quent, or maintain, or contribute, unless on contract, to maintain, any place of worship, or any ministry; nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief; provided, he believes in the existence of God, and that under His dispensation such person will be held morally accountable for his acts, and be rewarded or punished therefor either in this world or the world to come.

ART. 37. That no religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of belief in the existence of God; nor shall the Legislature prescribe any other oath of office than the oath prescribed by this Constitution.

ART. 38. That every gift, sale or devise of land to any Minister, Public Teacher or Preacher of the gospel, as such, or to any Religious Sect, Order or Denomination, or to, or for the support, use or benefit of, or in trust for, any Minister, Public Teacher or Preacher of the gospel, as such, or any Religious Sect, Order or Denomination; and every gift or sale of goods, or chattels, to go in succession, or to take place after the death of the Seller or Donor, to or for such support, use or benefit; and also every devise of goods or chattels to or for the support, use or benefit of any Minister, Public Teacher or Preacher of the gospel, as such, or any Religious Sect, Order or Denomination, without the prior, or subsequent sanction of the Legislature, shall be void: except always, any sale, gift, lease or devise of any quantity of land, not exceeding five acres, for a church, meeting house, or other house of worship, or parsonage, or for a burying ground, which shall be improved, enjoyed, or used only for such purpose; or such sale, gift, lease, or devise shall be void.

ART. 39. That the manner of administering an oath or affirmation to any person, ought to be such as those of the religious persuasion, profession, or denomination, of which he is a member, generally esteem the most effectual confirmation by the attestation of the Divine Being.

ART. 40. That the liberty of the press ought to be inviolably preserved; that every citizen of the State ought to be allowed to speak, write and publish his sentiments on all subjects, being responsible for the abuse of that privilege.



ART. 41. That monopolies are odious, contrary to the spirit of a free government and the principles of commerce, and ought not to be suffered.

ART. 42. That no title of nobility or hereditary honors ought to be granted in this State.

ART. 43. That the Legislature ought to encourage the diffusion of knowledge and virtue, the extension of a judicious system of general education, the promotion of literature, the arts, sciences, agriculture, commerce and manufactures, and the general melioration of the condition of the People.

ART. 44. That the provisions of the Constitution of the United States, and of this State, apply, as well in time of war, as in time of peace; and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea is subversive of good Government, and tends to anarchy and despotism.

ART. 45. This enumeration of Rights shall not be construed to impair or deny others retained by the People.

# CONSTITUTION.

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## ARTICLE I.

### ELECTIVE FRANCHISE.

SECTION 1. All elections shall be by ballot; and every white male citizen of the United States, of the age of twenty-one years, or upwards, who has been a resident of the State for one year, and of the Legislative District of Baltimore City, or of the county, in which he may offer to vote, for six months next preceding the election, shall be entitled to vote, in the ward or election district, in which he resides, at all elections hereafter to be held in this State; and in case any county, or city, shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates, or other Officers, then, to entitle a person to vote for such officer, he must have been a resident of that part of the county, or city, which shall form a part of the electoral district, in which he offers to vote, for six months next preceding the election; but a person, who shall have acquired a residence in such county, or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county, or city, to which he has removed.

SEC. 2. No person above the age of twenty-one years, convicted of larceny, or other infamous crime, unless pardoned by the Governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship, as a lunatic, or, as a person *non compos mentis*, shall be entitled to vote.

SEC. 3. If any person shall give, or offer to give, directly or indirectly, any bribe, present, or reward, or any promise, or any security for the payment, or the delivery of money, or any other

thing, to induce any voter to refrain from casting his vote, or to prevent him, in any way, from voting, or to procure a vote for any candidate, or person proposed, or voted for, as Elector of President and Vice-President of the United States, or Representative in Congress, or for any office of profit or trust, created by the Constitution or Laws of this State, or by the Ordinances, or Authority of the Mayor and City Council of Baltimore, the person giving, or offering to give, and the person receiving the same, and any person, who gives, or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a Court of Law, in addition to the penalties now, or hereafter to be, imposed by Law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter.

SEC. 4. It shall be the duty of the General Assembly to pass Laws to punish, with fine and imprisonment, any person, who shall remove into any election district, or precinct of any ward of the City of Baltimore, not for the purpose of acquiring a *bonâ fide* residence therein, but for the purpose of voting at an approaching election, or, who shall vote in any election district, or ward, in which he does not reside, (except in the case provided for in this article,) or shall, at the same election, vote in more than one election district, or precinct, or shall vote, or offer to vote, in any name not his own, or in place of any other person of the same name, or shall vote in any county, in which he does not reside.

SEC. 5. The General Assembly shall provide by Law for a uniform Registration of the names of all the voters in this State, who possess the qualifications prescribed in this Article, which Registration shall be conclusive evidence to the Judges of election of the right of every person, thus registered, to vote at any election thereafter held in this State; but no person shall vote at any election, Federal or State, hereafter to be held in this State, or at any municipal election in the City of Baltimore, unless his name appears in the list of registered voters; and until the General Assembly shall hereafter pass an Act for the Registration of the names of voters, the Law in force on the first day of June, in the year eighteen hundred and sixty-seven, in reference thereto, shall be continued in force, except so far as it may be inconsistent with the provisions of this Constitution; and the registry of voters,

made in pursuance thereof, may be corrected, as provided in said Law; but the names of all persons shall be added to the list of qualified voters by the officers of Registration, who have the qualifications prescribed in the first section of this Article, and who are not disqualified under the provisions of the second and third sections thereof.

SEC. 6. Every person elected, or appointed, to any office of profit or trust, under this Constitution, or under the Laws, made pursuant thereto, shall, before he enters upon the duties of such office, take and subscribe the following oath, or affirmation; I, ———, do swear, (or affirm, as the case may be,) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of ———, according to the Constitution and Laws of this State, (and, if a Governor, Senator, Member of the House of Delegates, or Judge,) that I will not directly or indirectly, receive the profits or any part of the profits, of any other office during the term of my acting as ———.

SEC. 7. Every person, hereafter elected, or appointed, to office, in this State, who shall refuse, or neglect, to take the oath, or affirmation of office, provided for in the sixth section of this Article, shall be considered as having refused to accept the said office; and a new election, or appointment, shall be made, as in case of refusal to accept, or resignation of an office; and any person violating said oath, shall, on conviction thereof, in a Court of Law, in addition to the penalties now, or hereafter, to be imposed by Law, be thereafter incapable of holding any office of profit or trust in this State.

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## ARTICLE II.

### EXECUTIVE DEPARTMENT.

SECTION 1. The Executive Power of the State shall be vested in a Governor, whose term of office shall commence on the second

Wednesday of January next ensuing his election, and continue for four years, and until his successor shall have qualified; but the Governor chosen at the first election under this Constitution, shall not enter upon the discharge of the duties of the office until the expiration of the term for which the present incumbent was elected; unless the said office shall become vacant by death, resignation, removal from the State, or other disqualification of the said incumbent.

SEC. 2. An election for Governor, under this Constitution, shall be held on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven, and on the same day and month in every fourth year thereafter, at the places of Voting for Delegates to the General Assembly; and every person qualified to vote for Delegates, shall be qualified and entitled to vote for Governor; the election to be held in the same manner as the election of Delegates, and the returns thereof, under seal, to be addressed to the Speaker of the House of Delegates, and enclosed and transmitted to the Secretary of State, and delivered to said Speaker at the commencement of the session of the General Assembly, next ensuing said election.

SEC. 3. The Speaker of the House of Delegates shall then open the said Returns, in the presence of both Houses; and the person having the highest number of votes, and being constitutionally eligible, shall be the Governor, and shall qualify, in the manner herein prescribed, on the second Wednesday of January next ensuing his election, or as soon thereafter as may be practicable.

SEC. 4. If two or more persons shall have the highest and an equal number of votes for Governor, one of them shall be chosen Governor by the Senate and House of Delegates; and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of votes therein given, shall be determined by the House of Delegates; and if the person, or persons, having the highest number of votes be ineligible, the Governor shall be chosen by the Senate and House of Delegates. Every election of Governor by the General Assembly shall be determined by a joint majority of the Senate and House of Delegates; and the vote shall be taken *viva voce*. But if two

or more persons shall have the highest and an equal number of votes, then, a second vote shall be taken, which shall be confined to the persons having an equal number; and if the vote should again be equal, then the election of Governor shall be determined by lot between those, who shall have the highest and an equal number on the first vote.

SEC. 5. A person to be eligible to the office of Governor, must have attained the age of thirty years, and must have been for ten years a citizen of the State of Maryland, and for five years next preceding his election, a resident of the State, and, at the time of his election, a qualified voter therein.

SEC. 6. In case of the death, or resignation of the Governor, or of his removal from the State, or other disqualification, the General Assembly, if in session, or if not, at their next session, shall elect some other qualified person to be Governor for the residue of the term for which the said Governor had been elected.

SEC. 7. In case of any vacancy in the office of Governor, during the recess of the Legislature, the President of the Senate shall discharge the duties of said office, until a Governor is elected, as herein provided for; and in case of the death or resignation of the said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall, in like manner, and for the same interval, devolve upon the Speaker of the House of Delegates. And the Legislature may provide by Law, for the impeachment of the Governor: and in case of his conviction, or his inability, may declare what person shall perform the Executive duties; and for any vacancy in said office not herein provided for, provision may be made by Law; and if such vacancy should occur without such provision being made, the Legislature shall be convened by the Secretary of State for the purpose of filling said vacancy.

SEC. 8. The Governor shall be the Commander-in-Chief of the land and naval forces of the State; and may call out the Militia to repel invasions, suppress insurrections, and enforce the execution of the Laws; but shall not take the command in person, without the consent of the Legislature.

SEC. 9. He shall take care that the Laws are faithfully executed.

SEC. 10. He shall nominate, and, by and with the advice and consent of the Senate, appoint all civil and military officers of the State, whose appointment, or election, is not otherwise herein provided for; unless a different mode of appointment be prescribed by the Law creating the office.

SEC. 11. In case of any vacancy, during the recess of the Senate, in any office which the Governor has power to fill, he shall appoint some suitable person to said office, whose commission shall continue in force until the end of the next session of the Legislature, or until some other person is appointed to the same office, whichever shall first occur; and the nomination of the person thus appointed, during the recess, or, of some other person in his place, shall be made to the Senate within thirty days after the next meeting of the Legislature.

SEC. 12. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate; or, be appointed to the same office during the recess of the Legislature.

SEC. 13. All civil officers appointed by the Governor and Senate, shall be nominated to the Senate within fifty days from the commencement of each regular session of the Legislature; and their term of office, except in cases otherwise provided for in this Constitution, shall commence on the first Monday of May next ensuing their appointment, and continue for two years (unless removed from office) and until their successors, respectively, qualify according to Law; but the term of office of the Inspectors of Tobacco shall commence on the first Monday of March next ensuing their appointment.

SEC. 14. If a vacancy shall occur, during the session of the Senate, in any office which the Governor and Senate have the power to fill, the Governor shall nominate to the Senate before its final adjournment, a proper person to fill said vacancy, unless such vacancy occurs within ten days before said final adjournment.

SEC. 15. The Governor may suspend, or arrest any military officer of the State for disobedience of orders, or other military offence; and may remove him in pursuance of the sentence of a Court Martial; and may remove for incompetency, or misconduct,

all civil officers who received appointment from the Executive for a term of years.

SEC. 16. The Governor shall convene the Legislature, or the Senate alone, on extraordinary occasions; and whenever from the presence of an enemy, or from any other cause, the Seat of Government shall become an unsafe place for the meeting of the Legislature, he may direct their sessions to be held at some other convenient place.

SEC. 17. To guard against hasty or partial legislation, and encroachments of the Legislative Department upon the co-ordinate Executive and Judicial Departments, every Bill which shall have passed the House of Delegates and the Senate, shall, before it becomes a Law, be presented to the Governor of the State; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large on its Journal, and proceed to re-consider the Bill; if, after such re-consideration, three-fifths of the members elected to that House shall pass the Bill, it shall be sent, with the objections, to the other House, by which it shall likewise be re-considered, and if passed by three-fifths of the members elected to that House, it shall become a Law. But, in all such cases, the votes of both Houses shall be determined by yeas and nays; and the names of the persons voting for and against the Bill, shall be entered on the Journal of each House, respectively. If any Bill shall not be returned by the Governor within six days, (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he signed it; unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a Law.

SEC. 18. It shall be the duty of the Governor, semi-annually (and oftener, if he deem it expedient) to examine under oath the Treasurer and Comptroller of the State on all matters pertaining to their respective offices; and inspect and review their Bank and other Account Books.

SEC. 19. He shall, from time to time, inform the Legislature of the condition of the State and recommend to their consideration such measures as he may judge necessary and expedient.

SEC. 20. He shall have power to grant reprieves and pardons,



except in cases of impeachment, and in cases in which he is prohibited by other Articles of this Constitution ; and to remit fines and forfeitures for offences against the State ; but shall not remit the principal, or interest of any debt due the State, except, in cases of fines or forfeitures ; and before granting a *nolle prosequi*, or pardon, he shall give notice in one or more newspapers, of the application made for it, and of the day on, or after which, his decision will be given ; and in every case, in which he exercises this power, he shall report to either Branch of the Legislature, whenever required, the petitions, recommendations, and reasons, which influenced his decision.

SEC. 21. The Governor shall reside at the Seat of Government, and receive for his services an annual salary of Four Thousand Five Hundred dollars.

SEC. 22. A Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall continue in office, unless sooner removed by the Governor, till the end of the official term of the Governor from whom he received his appointment, and receive an annual salary of Two Thousand dollars, and shall reside at the Seat of Government ; and the office of Private Secretary shall thenceforth cease.

SEC. 23. The Secretary of State shall carefully keep and preserve a Record of all official acts and proceedings, which may at all times be inspected by a committee of either Branch of the Legislature ; and he shall perform such other duties as may be prescribed by Law, or as may properly belong to his office, together with all clerical duty belonging to the Executive Department.

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### ARTICLE III.

#### LEGISLATIVE DEPARTMENT.

SECTION 1. The Legislature shall consist of two distinct Branches ; a Senate, and a House of Delegates, and shall be styled the General Assembly of Maryland.

SEC. 2. Each County in the State, and each of the three Legis-

lative Districts of Baltimore City, as they are now, or may hereafter be defined, shall be entitled to one Senator, who shall be elected by the qualified voters of the Counties, and of the Legislative Districts of Baltimore City, respectively, and shall serve for four years from the date of his election, subject to the classification of Senators, hereafter provided for.

SEC. 3. Until the taking and publishing of the next National Census, or until the enumeration of the population of this State, under the Authority thereof, the several Counties, and the City of Baltimore, shall have representation in the House of Delegates, as follows: Allegany County, five Delegates; Anne Arundel County, three Delegates; Baltimore County, six Delegates; each of the three Legislative Districts of the City of Baltimore, six Delegates; Calvert County, two Delegates; Caroline County, two Delegates; Carroll County, four Delegates; Cecil County, four Delegates; Charles County, two Delegates; Dorchester County, three Delegates; Frederick County, six Delegates; Harford County, four Delegates; Howard County, two Delegates; Kent County, two Delegates; Montgomery County, three Delegates; Prince George's County, three Delegates; Queen Anne's County, two Delegates; Saint Mary's County, two Delegates; Somerset County, three Delegates; Talbot County, two Delegates; Washington County, five Delegates; and Worcester County, three Delegates.

SEC. 4. As soon as may be after the taking and publishing of the next National Census, or after the enumeration of the population of this State, under the Authority thereof, there shall be an apportionment of representation in the House of Delegates, to be made on the following basis, to wit: Each of the several Counties of the State, having a population of eighteen thousand souls, or less, shall be entitled to two Delegates; and every County, having a population of over eighteen thousand, and less than twenty-eight thousand souls, shall be entitled to three Delegates; and every County, having a population of twenty-eight thousand, and less than forty thousand souls, shall be entitled to four Delegates; and every County, having a population of forty thousand, and less than fifty-five thousand souls, shall be entitled to five Delegates; and every County, having a population of fifty-five thousand souls,

and upwards, shall be entitled to six Delegates, and no more ; and each of the three Legislative Districts of the City of Baltimore shall be entitled to the number of Delegates to which the largest County shall, or may be entitled, under the foregoing apportionment. And the General Assembly shall have power to provide by Law, from time to time, for altering and changing the boundaries of the three existing Legislative Districts of the City of Baltimore, so as to make them, as near as may be, of equal population ; but said Districts shall always consist of contiguous territory.

SEC. 5. Immediately after the taking and publishing of the next National Census, or after any State enumeration of population, as aforesaid, it shall be the duty of the Governor, then being, to arrange the Representation in said House of Delegates, in accordance with the apportionment herein provided for ; and to declare, by Proclamation, the number of Delegates, to which each County, and the City of Baltimore may be entitled, under such apportionment ; and after every National Census taken thereafter, or after any State enumeration of population, thereafter made, it shall be the duty of the Governor, for the time being, to make similar adjustment of Representation, and to declare the same by Proclamation, as aforesaid.

SEC. 6. The members of the House of Delegates shall be elected by the qualified voters of the Counties, and the Legislative Districts of Baltimore City, respectively, to serve for two years, from the day of their election.

SEC. 7. The first election for Senators and Delegates shall take place on the Tuesday next, after the first Monday in the month of November, eighteen hundred and sixty-seven ; and the election for Delegates, and as nearly as practicable, for one-half of the Senators, shall be held on the same day, in every second year thereafter.

SEC. 8. Immediately after the Senate shall have convened, after the first election, under this Constitution, the Senators shall be divided by lot, into two classes, as nearly equal in number as may be—Senators of the first class shall go out of office at the expiration of two years, and Senators shall be elected on the Tuesday next after the first Monday in the month of November, eighteen

hundred and sixty-nine, for the term of four years, to supply their places; so that, after the first election, one-half of the Senators may be chosen every second year. In case the number of Senators be hereafter increased, such classification of the additional Senators shall be made as to preserve, as nearly as may be, an equal number in each class.

SEC. 9. No person shall [*be*] eligible as a Senator or Delegate, who at the time of his election, is not a citizen of the State of Maryland, and who has not resided therein, for at least three years, next preceding the day of his election, and the last year thereof, in the County, or in the Legislative District of Baltimore City, which he may be chosen to represent, if such County, or Legislative District of said City, shall have been so long established; and if not, then in the County, or City, from which, in whole, or in part, the same may have been formed; nor shall any person be eligible as a Senator, unless he shall have attained the age of twenty-five years, nor as a Delegate, unless he shall have attained the age of twenty-one years, at the time of his election.

SEC. 10. No member of Congress, or person holding any civil, or military office under the United States, shall be eligible as a Senator, or Delegate; and if any person shall after his election as Senator, or Delegate, be elected to Congress, or be appointed to any office, civil or military, under the Government of the United States, his acceptance thereof, shall vacate his seat.

SEC. 11. No Minister or Preacher of the Gospel, or of any religious creed, or denomination, and no person holding any civil office of profit or trust, under this State, except Justices of the Peace, shall be eligible as Senator, or Delegate.

SEC. 12. No Collector, Receiver, or Holder of public money shall be eligible as Senator or Delegate, or to any office of profit, or trust, under this State, until he shall have accounted for, and paid into the Treasury all sums on the Books thereof charged to, and due by him.

SEC. 13. In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county, or city, for which he shall have been elected, of any person, who shall have been chosen as a Delegate, or Senator, or in case of a tie between two or more such qualified persons, a warrant of election shall be

issued by the Speaker of the House of Delegates, or President of the Senate, as the case may be, for the election of another person in his place, of which election, not less than ten days' notice shall be given, exclusive of the day of the publication of the notice, and of the day of election; and, if during the recess of the Legislature, and more than ten days before its termination, such death shall occur, or such resignation, refusal to act, or disqualification be communicated, in writing to the Governor by the person, so resigning, refusing, or disqualified, it shall be the duty of the Governor to issue a warrant of election to supply the vacancy thus created, in the same manner, the said Speaker, or President might have done, during the session of the General Assembly; provided, however, that unless a meeting of the General Assembly may intervene, the election, thus ordered to fill such vacancy, shall be held on the day of the ensuing election for Delegates and Senators.

SEC. 14. The General Assembly shall meet on the first Wednesday of January, eighteen hundred and sixty-eight, and on the same day in every second year thereafter, and at no other time, unless convened by Proclamation of the Governor.

SEC. 15. The General Assembly may continue its Session so long as, in its judgment the public interest may require, for a period not longer than ninety days; and each member thereof, shall receive a compensation of five dollars per diem, for every day he shall attend the session; but not for such days as he may be absent, unless absent on account of sickness, or by leave of the House of which he is a member; and he shall also receive such mileage as may be allowed by Law, not exceeding twenty cents per mile; and the Presiding officer of each House shall receive an additional compensation of three dollars per day. When the General Assembly shall be convened by Proclamation of the Governor, the session shall not continue longer than thirty days; and in such case, the compensation shall be the same as herein prescribed.

SEC. 16. No book, or other printed matter, not appertaining to the business of the session, shall be purchased, or subscribed for, for the use of the members of the General Assembly, or be distributed among them, at the public expense.

SEC. 17. No Senator or Delegate, after qualifying as such, notwithstanding he may thereafter resign, shall during the whole period of time, for which he was elected, be eligible to any office, which shall have been created, or the salary, or profits of which shall have been increased, during such term.

SEC. 18. No Senator or Delegate shall be liable in any civil action, or criminal prosecution, whatever, for words spoken in debate.

SEC. 19. Each House shall be judge of the qualifications and elections of its members, as prescribed by the Constitution and Laws of the State; shall appoint its own officers, determine the rules of its own proceedings, punish a member for disorderly or disrespectful behavior, and with the consent of two-thirds of its whole number of members elected, expel a member; but no member shall be expelled a second time for the same offence.

SEC. 20. A majority of the whole number of members elected to each House shall constitute a quorum for the transaction of business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner, and under such penalties, as each House may prescribe.

SEC. 21. The doors of each House, and of the Committee of the Whole, shall be open, except when the business is such as ought to be kept secret.

SEC. 22. Each House shall keep a journal of its proceedings, and cause the same to be published. The yeas and nays of members on any question, shall at the call of any five of them in the House of Delegates, or one in the Senate, be entered on the Journal.

SEC. 23. Each House may punish by imprisonment, during the session of the General Assembly, any person, not a member, for disrespectful, or disorderly behavior in its presence, or for obstructing any of its proceedings, or any of its officers in the execution of their duties; provided such imprisonment shall not, at any one time, exceed ten days.

SEC. 24. The House of Delegates may inquire, on the oath of witnesses, into all complaints, grievances and offences, as the Grand Inquest of the State, and may commit any person, for any crime, to the public jail, there to remain, until discharged by due

course of Law. They may examine and pass all accounts of the State, relating either to the collection or expenditure of the revenue, and appoint Auditors to state and adjust the same. They may call for all public, or official papers and records, and send for persons, whom they may judge necessary, in the course of their inquiries, concerning affairs relating to the public interest, and may direct all office bonds which shall be made payable to the State, to be sued for any breach thereof; and with the view to the more certain prevention, or correction of the abuses in the expenditures of the money of the State, the General Assembly shall create, at every session thereof, a joint Standing Committee of the Senate and House of Delegates, who shall have power to send for persons, and examine them on oath, and call for Public, or Official Papers and Records, and whose duty it shall be to examine and report upon all contracts made for printing stationery, and purchases for the Public offices, and the Library, and all expenditures therein, and upon all matters of alleged abuse in expenditures, to which their attention may be called by Resolution of either House of the General Assembly.

SEC. 25. Neither House shall, without the consent of the other, adjourn for more than three days, at any one time, nor adjourn to any other place, than that in which the House shall be sitting, without the concurrent vote of two-thirds of the members present.

SEC. 26. The House of Delegates shall have the sole power of impeachment in all cases; but a majority of all the members elected must concur in the impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose, the Senators shall be on oath, or affirmation, to do justice according to the law and the evidence; but no person shall be convicted without the concurrence of two-thirds of all the Senators elected.

SEC. 27. Any bill may originate in either House of the General Assembly, and be altered, amended, or rejected by the other; but no bill shall originate in either House during the last ten days of the session, unless two-thirds of the members elected thereto shall so determine by yeas and nays; nor shall any bill become a Law, until it be read on three different days of the session in each House, unless two-thirds of the members elected to the House, where such bill is pending, shall so determine by yeas and nays:

and no bill shall be read a third time until it shall have been actually engrossed for a third reading.

SEC. 28. No bill shall become a Law unless it be passed in each House by a majority of the whole number of members elected, and on its final passage, the yeas and nays be recorded ; nor shall any Resolution, requiring the action of both Houses, be passed except in the same manner.

SEC. 29. The style of all Laws of this State shall be, "Be it enacted by the General Assembly of Maryland:" and all Laws shall be passed by original bill ; and every Law enacted by the General Assembly shall embrace but one subject, and that shall be described in its title ; and no Law, nor section of Law, shall be revived or amended by reference to its title, or section only ; nor shall any Law be construed by reason of its title, to grant powers, or confer rights which are not expressly contained in the body of the Act ; and it shall be the duty of the General Assembly, in amending any article, or section of the Code of Laws of this State, to enact the same, as the said article, or section would read when amended. And whenever the General Assembly shall enact any Public General Law, not amendatory of any section, or article in the said Code, it shall be the duty of the General Assembly to enact the same, in articles and sections, in the same manner, as the Code is arranged, and to provide for the publication of all additions and alterations, which may be made to the said Code.

SEC. 30. Every bill, when passed by the General Assembly, and sealed with the Great Seal, shall be presented to the Governor, who, if he approves it, shall sign the same in the presence of the presiding officers and Chief Clerks of the Senate and House of Delegates. Every Law shall be recorded in the office of the Court of Appeals, and in due time, be printed, published and certified under the Great Seal, to the several Courts, in the same manner as has been heretofore usual in this State.

SEC. 31. No Law passed by the General Assembly shall take effect, until the first day of June, next after the Session, at which it may be passed, unless it be otherwise expressly declared therein.

SEC. 32. No money shall be drawn from the Treasury of the



State, by any order or resolution, nor except in accordance with an appropriation by Law, and every such Law shall distinctly specify the sum appropriated, and the object, to which it shall be applied; provided, that nothing herein contained shall prevent the General Assembly from placing a contingent fund at the disposal of the Executive, who shall report to the General Assembly, at each Session, the amount expended, and the purposes to which it was applied. An accurate statement of the receipts and expenditures of the public money, shall be attached to, and published with the Laws, after each regular Session of the General Assembly.

SEC. 33. The General Assembly shall not pass local, or special Laws, in any of the following enumerated cases, viz.: For extending the time for the collection of taxes; granting divorces; changing the name of any person; providing for the sale of real estate, belonging to minors, or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees; giving effect to informal, or invalid deeds or wills; refunding money paid into the State Treasury, or releasing persons from their debts, or obligations to the State, unless recommended by the Governor, or officers of the Treasury Department. And the General Assembly shall pass no special Law, for any case, for which provision has been made, by an existing General Law. The General Assembly, at its first session after the adoption of this Constitution, shall pass General Laws, providing for the cases enumerated in this section, which are not already adequately provided for, and for all other cases, where a General Law can be made applicable.

SEC. 34. No debt shall be hereafter contracted by the General Assembly, unless such debt shall be authorized by a Law, providing for the collection of an annual tax, or taxes, sufficient to pay the interest on such debt, as it falls due; and also, to discharge the principal thereof, within fifteen years from the time of contracting the same; and the taxes, laid for this purpose, shall not be repealed, or applied to any other object, until the said debt, and interest thereon, shall be fully discharged. The credit of the State shall not in any manner be given, or loaned to, or in aid of any individual, association, or corporation; nor shall the General

Assembly have the power, in any mode, to involve the State in the construction of Works of Internal Improvement, nor in granting any aid thereto, which shall involve the faith, or credit of the State; nor make any appropriation therefor, except in aid of the construction of Works of Internal Improvement, in the counties of Saint Mary's, Charles and Calvert, which have had no direct advantage, from such Works, as have been heretofore aided by the State; and provided, that such aid, advances, or appropriations shall not exceed in the aggregate the sum of five hundred thousand dollars. And they shall not use, or appropriate the proceeds of the Internal Improvement Companies, or of the State tax, now levied, or which may hereafter be levied, to pay off the public debt to any other purpose until the interest and debt are fully paid, or the sinking fund shall be equal to the amount of the outstanding debt; but the General Assembly may, without laying a tax, borrow an amount never to exceed fifty thousand dollars, to meet temporary deficiencies in the Treasury, and may contract debts to any amount that may be necessary for the defence of the State.

SEC. 35. No extra compensation shall be granted, or allowed, by the General Assembly, to any Public Officer, Agent, Servant or Contractor, after the service shall have been rendered, or the contract entered into; nor shall the salary, or compensation of any public officer be increased, or diminished during his term of office.

SEC. 36. No Lottery grant shall ever hereafter be authorized by the General Assembly.

SEC. 37. The General Assembly shall pass no Law providing for payment, by this State, for Slaves emancipated from servitude in this State; but they shall adopt such measures, as they may deem expedient, to obtain from the United States, compensation for such Slaves, and to receive, and distribute the same, equitably, to the persons entitled.

SEC. 38. No person shall be imprisoned for debt.

SEC. 39. The General Assembly shall grant no charter for Banking purposes, nor renew any Banking Corporation, now in existence, except upon the condition that the Stockholders shall be liable to the amount of their respective Share, or Shares of

Stock in such Banking Institution, for all its debts and liabilities, upon note, bill, or otherwise; the Books, papers, and accounts of all Banks shall be open to inspection, under such regulations as may be prescribed by Law.

SEC. 40. The General Assembly shall enact no Law authorizing private property, to be taken for public use, without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid, or tendered to the party, entitled to such compensation.

SEC. 41. Any citizen of this State, who shall after the adoption of this Constitution, either in, or out of this State, fight a duel with deadly weapons, or send, or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in any manner, those offending, shall, ever thereafter, be incapable of holding any office of profit or trust, under this State, unless relieved from the disability by an act of the Legislature.

SEC. 42. The General Assembly shall pass Laws necessary for the preservation of the purity of Elections.

SEC. 43. The property of the wife shall be protected from the debts of her husband.

SEC. 44. Laws shall be passed by the General Assembly, to protect from execution a reasonable amount of the property of the debtor, not exceeding in value, the sum of five hundred dollars.

SEC. 45. The General Assembly shall provide a simple and uniform system of charges in the offices of Clerks of Courts, and Registers of Wills, in the Counties of this State, and the City of Baltimore, and for the collection thereof; provided, the amount of compensation to any of the said officers, in the various Counties, shall not exceed the sum of three thousand dollars a year, and in the City of Baltimore thirty-five hundred dollars a year, over and above office expenses, and compensation to assistants; and provided further, that such compensation, of Clerks, Registers, assistants and office expenses shall always be paid out of the fees, or receipts of the offices, respectively.

SEC. 46. The General Assembly shall have power to receive from the United States, any grant, or donation of land, money, or securities for any purpose designated by the United States, and

shall administer, or distribute the same according to the conditions of the said grant.

SEC. 47. The General Assembly shall make provisions for all cases of contested elections of any of the officers, not herein provided for.

SEC. 48. Corporations may be formed under general Laws; but shall not be created by special act, except for municipal purposes, and except in cases where no general Laws exist, providing for the creation of corporations of the same general character, as the corporation proposed to be created; and any act of incorporation, passed in violation of this section shall be void. And as soon as practicable, after the adoption of this Constitution, it shall be the duty of the Governor, to appoint three persons learned in the Law, whose duty it shall be, to prepare drafts of general Laws, providing for the creation of corporations, in such cases as may be proper, and for all other cases, where a general Law can be made; and for revising and amending, so far as may be necessary, or expedient, the general Laws which may be in existence on the first day of June, eighteen hundred and sixty-seven, providing for the creation of corporations, and for other purposes; and such drafts of Laws shall by said commissioners, be submitted to the General Assembly, at its first meeting, for its action thereon; and each of said commissioners shall receive a compensation of five hundred dollars for his services, as such commissioner.

All Charters granted, or adopted, in pursuance of this section, and all Charters heretofore granted and created, subject to repeal or modification, may be altered, from time to time, or be repealed; provided, nothing herein contained shall be construed to extend to Banks, or the incorporation thereof.

SEC. 49. The General Assembly shall have power to regulate by Law, not inconsistent with this Constitution, all matters which relate to the Judges of election, time, place and manner of holding elections in this State, and of making returns thereof.

SEC. 50. It shall be the duty of the General Assembly, at its first session, held after the adoption of this Constitution, to provide by Law for the punishment, by fine, or imprisonment in the Penitentiary, or both, in the discretion of the Court, of any person, who shall bribe, or attempt to bribe, any Executive, or Judi-

cial officer of the State of Maryland, or any member, or officer of the General Assembly of the State of Maryland, or of any Municipal Corporation in the State of Maryland, or any Executive officer of such corporation, in order to influence him in the performance of any of his official duties ; and, also, to provide by Law for the punishment, by fine, or imprisonment in the Penitentiary, or both, in the discretion of the Court, of any of said officers, or members, who shall demand, or receive any bribe, fee, reward, or testimonial, for the performance of his official duties, or for neglecting, or failing to perform the same ; and, also, to provide by Law for compelling any person, so bribing, or attempting to bribe, or so demanding, or receiving a bribe, fee, reward, or testimonial, to testify against any person, or persons, who may have committed any of said offences ; provided, that any person, so compelled to testify, shall be exempted from trial and punishment for the offence, of which he may have been guilty ; and any person, convicted of such offence, shall, as part of the punishment thereof, be forever disfranchised and disqualified from holding any office of trust, or profit, in this State.

SEC. 51. The personal property of residents of this State, shall be subject to taxation in the county, or city, where the resident *bonâ fide* resides for the greater part of the year, for which the tax may, or shall be levied, and not elsewhere, except goods and chattels permanently located, which shall be taxed in the City, or County where they are so located.

SEC. 52. The General Assembly shall appropriate no money out of the Treasury for payment of any private claim against the State exceeding three hundred dollars, unless said claim shall have been presented to the Comptroller of the Treasury, together with the proofs upon which the same is founded, and reported upon by him.

SEC. 53. No person shall be incompetent, as a witness, on account of race or color, unless hereafter so declared by Act of the General Assembly.

SEC. 54. No County of this State shall contract any debt, or obligation, in the construction of any Railroad, Canal, or other Work of Internal Improvement, nor give, or loan its credit to, or in aid of any association, or corporation, unless authorized by an

Act of the General Assembly, which shall be published for two months before the next election for members of the House of Delegates in the newspapers published in such County, and shall also be approved by a majority of all the members elected to each House of the General Assembly at its next Session after said election.

SEC. 55. The General Assembly shall pass no Law suspending the privilege of the Writ of *Habeas Corpus*.

SEC. 56. The General Assembly shall have power to pass all such Laws as may be necessary and proper for carrying into execution the powers vested, by this Constitution, in any Department, or office of the Government, and the duties imposed upon them thereby.

SEC. 57. The Legal Rate of Interest shall be *six per cent. per annum* ; unless otherwise provided by the General Assembly.

SEC. 58. The Legislature at its first session after the ratification of this Constitution shall provide by Law for State and municipal taxation upon the revenues accruing from business done in the State by all foreign corporations.

SEC. 59. The office of " State Pension Commissioner " is hereby abolished ; and the Legislature shall pass no law creating such office, or establishing any general pension system within this State.

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## ARTICLE IV.

### JUDICIARY DEPARTMENT.

#### PART I.—GENERAL PROVISIONS.

SECTION 1. The Judicial power of this State shall be vested in a Court of Appeals, Circuit Courts, Orphans' Courts, such Courts for the City of Baltimore as are hereinafter provided for, and Justices of the Peace ; all said Courts shall be Courts of Record, and each shall have a seal to be used in the authentication of all process issuing therefrom. The process and official character of Justices of the Peace shall be authenticated as hath heretofore

been practiced in this State, or may hereafter be prescribed by Law.

SEC. 2. The Judges of all the said Courts shall be citizens of the State of Maryland, and qualified voters under this Constitution, and shall have resided therein not less than five years, and not less than six months next preceding their election, or appointment, in the Judicial Circuit, as the case may be, for which they may be, respectively, elected, or appointed. They shall be not less than thirty years of age at the time of their election, or appointment, and shall be selected from those who have been admitted to practice Law in this State, and who are most distinguished for integrity, wisdom and sound legal knowledge.

SEC. 3. The Judges of the said several Courts shall be elected in the Counties by the qualified voters in their respective Judicial Circuits, as hereinafter provided, at the general election to be held on the Tuesday after the first Monday in November next, and in the City of Baltimore, on the fourth Wednesday of October next. Each of the said Judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after; but in case of any Judge, who shall attain the age of seventy years whilst in office, such Judge may be continued in office by the General Assembly for such further time as they may think fit, not to exceed the term for which he was elected, by a Resolution to be passed at the session next preceding his attaining said age. In case of the inability of any of said Judges to discharge his duties with efficiency, by reason of continued sickness, or of physical or mental infirmity, it shall be in the power of the General Assembly, two-thirds of the members of each House concurring, with the approval of the Governor, to retire said Judge from office.

SEC. 4. Any Judge shall be removed from office by the Governor, on conviction in a Court of Law, of incompetency, of wilful neglect of duty, misbehavior in office, or any other crime, or on impeachment, according to this Constitution, or the Laws of the State; or on the address of the General Assembly, two-thirds of

each House concurring in such address, and the accused having been notified of the charges against him, and having had opportunity of making his defence.

SEC. 5. After the election for Judges, to be held as above mentioned, upon the expiration of the term, or in case of the death, resignation, removal, or other disqualification of any Judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the General Assembly, when a successor shall be elected, whose tenure of office shall be the same, as hereinbefore provided; but if the vacancy shall occur in the city of Baltimore, the time of election shall be the fourth Wednesday in October following.

SEC. 6. All Judges shall, by virtue of their offices, be Conservators of the Peace throughout the State; and no fees, or perquisites, commission, or reward of any kind, shall be allowed to any Judge in this State, besides his annual salary, for the discharge of any Judicial duty.

SEC. 7. No Judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him, by affinity or consanguinity, within such degrees as now are, or may hereafter be prescribed by Law, or where he shall have been of counsel in the case.

SEC. 8. The parties to any cause may submit the same to the Court for determination, without the aid of a jury; and the Judge, or Judges of any Court of this State, except the Court of Appeals, shall order and direct the Record of proceedings in any suit, or action, issue, or petition, presentment, or indictment, pending in such Court, to be transmitted to some other Court, (and of a different Circuit, if the party applying shall so elect,) having jurisdiction in such cases, whenever any party to such cause, or the counsel of any party, shall make a suggestion, in writing, supported by the affidavit of such party, or his counsel, or other proper evidence, that the party cannot have a fair or impartial trial in the Court, in which such suit, or action, issue, or petition, presentment, or indictment is pending, or when the Judges of said Court shall be disqualified, under the provisions of this Constitution, to sit in any such suit, action, issue, or petition, presentment, or indictment; and the General Assembly shall make such



modifications of existing Law as may be necessary to regulate and give force to this provision.

SEC. 9. The Judge, or Judges of any Court, may appoint such officers for their respective Courts as may be found necessary; and such officers of the Courts in the City of Baltimore shall be appointed by the Judges of the Supreme Bench of Baltimore City. It shall be the duty of the General Assembly to prescribe, by Law, a fixed compensation for all such officers; and said Judge, or Judges shall, from time to time, investigate the expenses, costs and charges of their respective courts, with a view to a change or reduction thereof, and report the result of such investigation to the General Assembly for its action.

SEC. 10. The Clerks of the several Courts, created, or continued by this Constitution, shall have charge and custody of the records and other papers, shall perform all the duties, and be allowed the fees, which appertain to their several offices, as the same now are, or may hereafter be regulated by Law. And the office and business of said Clerks, in all their departments, shall be subject to the visitorial power of the Judges of their respective Courts, who shall exercise the same, from time to time, so as to insure the faithful performance of the duties of said offices: and it shall be the duty of the Judges of said Courts respectively, to make, from time to time, such rules and regulations as may be necessary and proper for the government of said Clerks, and for the performance of the duties of their offices, which shall have the force of Law until repealed, or modified by the General Assembly.

SEC. 11. The election for Judges, hereinbefore provided, and all elections for Clerks, Registers of Wills, and other officers, provided in this Constitution, except State's Attorneys, shall be certified, and the returns made, by the Clerks of the Circuit Courts of the Counties, and the Clerk of the Superior Court of Baltimore city, respectively, to the Governor, who shall issue commissions to the different persons for the offices to which they shall have been, respectively, elected; and in all such elections, the person having the greatest number of votes, shall be declared to be elected.

SEC. 12. If in any case of election for Judges, Clerks of the Courts of Law, and Registers of Wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the

Governor to order a new election; and in case of any contested election, the Governor shall send the returns to the House of Delegates, which shall judge of the election and qualification of the candidates at such election; and if the judgment shall be against the one who has been returned elected, or the one who has been commissioned by the Governor, the House of Delegates shall order a new election within thirty days.

SEC. 13. All Public Commissions and Grants shall run thus: "The State of Maryland, &c.," and shall be signed by the Governor, with the Seal of the State annexed; all writs and process shall run in the same style, and be tested, sealed and signed, as heretofore, or as may hereafter be, provided by Law; and all indictments shall conclude, "against the peace, government and dignity of the State."

#### PART II.—COURT OF APPEALS.

SEC. 14. The Court of Appeals shall be composed of the Chief Judges of the first seven of the several Judicial Circuits of the State, and a Judge from the City of Baltimore specially elected thereto, one of whom shall be designated by the Governor, by and with the advice and consent of the Senate, as the Chief Judge; and in all cases until action by the Senate can be had, the Judge so designated by the Governor, shall act as Chief Judge. The Judge of the Court of Appeals from the City of Baltimore shall be elected by the qualified voters of said City, at the election of Judges to be held therein, as hereinbefore provided; and in addition to his duties, as Judge of the Court of Appeals, shall perform such other duties as the General Assembly shall prescribe. The jurisdiction of said Court of Appeals shall be co-extensive with the limits of the State, and such as now is, or may hereafter be prescribed by Law. It shall hold its sessions in the city of Annapolis, on the first Monday in April, and the first Monday in October, of each and every year, or at such other times as the General Assembly may, by Law, direct. Its sessions shall continue not less than ten months in the year, if the business before it shall so require; and it shall be competent for the Judges, temporarily, to transfer their sittings elsewhere, upon sufficient cause.

SEC. 15. Four of said Judges shall constitute a quorum; no cause shall be decided without the concurrence of at least three; but the Judge who heard the cause below, shall not participate in the decision; in every case an opinion, in writing, shall be filed within three months after the argument, or submission of the cause; and the judgment of the Court shall be final and conclusive; and all cases shall stand for hearing at the first term after the transmission of the Record.

SEC. 16. Provision shall be made by Law for publishing Reports of all causes, argued and determined in the Court of Appeals, which the Judges shall designate as proper for publication.

SEC. 17. There shall be a Clerk of the Court of Appeals, who shall be elected by the legal and qualified voters of the State, who shall hold his office for six years, and until his successor is duly qualified; he shall be subject to removal by the said Court for incompetency, neglect of duty, misdemeanor in office, or such other cause, or causes, as may be prescribed by Law; and in case of a vacancy in the office of said Clerk, the Court of Appeals shall appoint a Clerk of said Court, who shall hold his office until the election and qualification of his successor, who shall be elected at the next general election for members of the General Assembly; and the person, so elected, shall hold his office for the term of six years from the time of election.

SEC. 18. It shall be the duty of the Judges of the Court of Appeals, as soon after their election, under this Constitution, as practicable, to make and publish rules and regulations for the prosecution of appeals to said appellate Court, whereby they shall prescribe the periods within which appeals may be taken, what part or parts of the proceedings in the Court below shall constitute the record on appeal, and the manner in which such appeals shall be brought to hearing or determination, and shall regulate, generally, the practice of said Court of Appeals, so as to prevent delays, and promote brevity in all records and proceedings brought into said Court, and to abolish and avoid all unnecessary costs and expenses in the prosecution of appeals therein; and the said Judges shall make such reductions in the fees and expenses of the said Court, as they may deem advisable. It shall also be the duty of said Judges of the Court of Appeals, as soon after their election

as practicable, to devise, and promulgate by rules, or orders, forms and modes of framing and filing bills, answers, and other proceedings and pleadings in Equity; and also forms and modes of taking and obtaining evidence, to be used in Equity cases; and to revise and regulate, generally, the practice in the Courts of Equity of this State, so as to prevent delays, and to promote brevity and conciseness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses attending the same. And all rules and regulations hereby directed to be made, shall, when made, have the force of Law, until rescinded, changed, or modified by the said Judges, or the General Assembly.

PART III.—CIRCUIT COURTS.

SEC. 19. The State shall be divided into eight Judicial Circuits, in manner following, viz.: the Counties of Worcester, Somerset and Dorchester, shall constitute the First Circuit; the Counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the Second; the Counties of Baltimore and Harford, the Third; the Counties of Allegany and Washington, the Fourth; the Counties of Carroll, Howard and Anne Arundel, the Fifth; the Counties of Montgomery and Frederick, the Sixth; the Counties of Prince George's, Charles, Calvert and St. Mary's, the Seventh; and Baltimore City, the Eighth.

SEC. 20. A Court shall be held in each County of the State, to be styled the Circuit Court for the County, in which it may be held. The said Circuit Courts shall have and exercise, in the respective Counties, all the power, authority and jurisdiction, original and appellate, which the present Circuit Courts of this State now have and exercise, or which may hereafter be prescribed by Law.

SEC. 21. For each of the said Circuits (excepting the Eighth,) there shall be a Chief Judge, and two Associate Judges, to be styled Judges of the Circuit Court, to be elected or appointed, as herein provided. And no two of said Associate Judges shall, at the time of their election, or appointment, or during the term, for which they may have been elected, or appointed, reside in the same County. If two or more persons shall be candidates for Associate Judge, in the same County, that one only in said County shall be declared elected, who has the highest number of

votes in the Circuit. In case any two candidates for Associate Judge, residing in the same County, shall have an equal number of votes, greater than any other candidate for Associate Judge, in the Circuit, it shall be the duty of the Governor to order a new election for one Associate Judge; but the person, residing in any other County of the Circuit, and who has the next highest number of votes shall be declared elected. The said Judges shall hold not less than two Terms of the Circuit Court in each of the Counties, composing their respective Circuits, at such times as are now, or may hereafter be prescribed, to which Jurors shall be summoned; and in those Counties, where only two such Terms are held, two other and intermediate Terms, to which Jurors shall not be summoned; they may alter or fix the times for holding any, or all Terms until otherwise prescribed, and shall adopt Rules to the end that all business not requiring the interposition of a Jury shall be, as far as practicable, disposed of at said intermediate Terms. One Judge, in each of the above Circuits, shall constitute a quorum for the transaction of any business; and the said Judges, or any of them, may hold Special Terms of their Courts, whenever, in their discretion, the business of the several Counties renders such Terms necessary.

SEC. 22. Where any Term is held, or trial conducted by less than the whole number of said Circuit Judges, upon the decision, or determination of any point, or question, by the Court, it shall be competent to the party, against whom the ruling or decision is made, upon motion, to have the point, or question reserved for the consideration of the three Judges of the Circuit, who shall constitute a Court in *banc* for such purpose; and the motion for such reservation shall be entered of record, during the sitting, at which such decision may be made; and the several Circuit Courts shall regulate, by rules, the mode and manner of presenting such points, or questions to the Court in *banc*, and the decision of the said Court in *banc* shall be the effective decision in the premises, and conclusive, as against the party, at whose motion said points, or questions were reserved; but such decision in *banc* shall not preclude the right of Appeal, or writ of error to the adverse party, in those cases, civil or criminal, in which appeal, or writ of error to the Court of Appeals may be allowed by Law. The right

of having questions reserved shall not, however, apply to trials of Appeals from judgments of Justices of the Peace, nor to criminal cases below the grade of felony, except when the punishment is confinement in the Penitentiary; and this Section shall be subject to such provisions as may hereafter be made by Law.

SEC. 23. The Judges of the respective Circuit Courts of this State, and of the Courts of Baltimore City, shall render their decisions, in all cases argued before them, or submitted for their judgment, within two months after the same shall have been so argued or submitted.

SEC. 24. The salary of each Chief Judge, and of the Judge of the Court of Appeals from the City of Baltimore shall be three thousand five hundred dollars, and of each Associate Judge of the Circuit Court, shall be two thousand eight hundred dollars per annum, payable quarterly, and shall not be diminished during his continuance in office.

SEC. 25. There shall be a Clerk of the Circuit Court for each County, who shall be elected by a plurality of the qualified voters of said County, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for wilful neglect of duty, or other misdemeanor in office, on conviction in a Court of Law. In case of a vacancy in the office of Clerk of a Circuit Court, the Judges of said Court shall have power to fill such vacancy until the general election for Delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for the term of six years.

SEC. 26. The said Clerks shall appoint, subject to the confirmation of the Judges of their respective Courts, as many deputies under them, as the said Judges shall deem necessary, to perform, together with themselves, the duties of the said office, who shall be removable by the said Judges for incompetency, or neglect of duty, and whose compensation shall be according to existing, or future provisions of the General Assembly.

#### PART IV.—COURTS OF BALTIMORE CITY.

SEC. 27. There shall be in the Eighth Judicial Circuit, six Courts, to be styled the Supreme Bench of Baltimore City, the

Superior Court of Baltimore City, the Court of Common Pleas, the Baltimore City Court, the Circuit Court of Baltimore City, and the Criminal Court of Baltimore.

SEC. 28. The Superior Court of Baltimore City, the Court of Common Pleas, and the Baltimore City Court shall, each, have concurrent jurisdiction in all civil common Law cases, and concurrently, all the jurisdiction which the Superior Court of Baltimore City and the Court of Common Pleas now have, except jurisdiction in Equity, and except in applications for the benefit of the Insolvent Laws of Maryland, and in cases of Appeal from judgments of Justices of the Peace in said City, whether civil or criminal, or arising under the ordinances of the Mayor and City Council of Baltimore, of all of which appeal cases the Baltimore City Court shall have exclusive jurisdiction; and the said Court of Common Pleas shall have exclusive jurisdiction in all applications for the benefit of the Insolvent Laws of Maryland, and the supervision and control of the Trustees thereof.

SEC. 29. The Circuit Court of Baltimore City shall have exclusive jurisdiction in Equity within the limits of said city, and all such jurisdiction as the present Circuit Court of Baltimore City has: provided, the said Court shall not have jurisdiction in applications for the writ of *habeas corpus* in cases of persons charged with criminal offences.

SEC. 30. The Criminal Court of Baltimore shall have and exercise all the jurisdiction, now held and exercised by the Criminal Court of Baltimore, except in such Appeal Cases as are herein assigned to the Baltimore City Court.

SEC. 31. There shall be elected by the legal and qualified voters of said City, at the election, hereinbefore provided for one Chief Judge, and four Associate Judges, who, together, shall constitute the Supreme Bench of Baltimore City, and shall hold their offices for the term of fifteen years, subject to the provisions of this Constitution with regard to the election and qualifications of Judges, and their removal from office, and shall exercise the jurisdiction hereinafter specified, and shall each receive an annual salary of three thousand five hundred dollars, payable quarterly, which shall not be diminished during their term of office; but authority is hereby given to the Mayor and City Council of Balti-

more to pay to each of the said Judges an annual addition of five hundred dollars to their respective salaries; provided, that the same, being once granted, shall not be diminished, nor increased, during the continuance of said Judges in office.

SEC. 32. It shall be the duty of the said Supreme Bench of Baltimore City, as soon as the Judges thereof shall be elected and duly qualified, and from time to time, to provide for the holding of each of the aforesaid Courts, by the assignment of one, or more of their number to each of the said Courts, who may sit either, separately, or together, in the trial of cases; and the said Supreme Bench of Baltimore City may, from time to time, change the said assignment, as circumstances may require, and the public interest may demand; and the Judge, or Judges, so assigned to the said several Courts, shall, when holding the same, have all the powers and exercise all the jurisdiction, which may belong to the Court so being held; and it shall also be the duty of the said Supreme Bench of Baltimore City, in case of the sickness, absence, or disability of any Judge or Judges, assigned as aforesaid, to provide for the hearing of the cases, or transaction of the business assigned to said Judge, or Judges, as aforesaid, before some one, or more of the Judges of said Court.

SEC. 33. The said Supreme Bench of Baltimore City shall have power, and it shall be its duty, to provide for the holding of as many general Terms as the performance of its duties may require, such general Terms to be held by not less than three Judges; to make all needful rules and regulations for the conduct of business in each of the said Courts, during the session thereof, and in vacation, or in Chambers, before any of said Judges; and shall also have jurisdiction to hear and determine all motions for a new trial in cases tried in any of said Courts, where such motions arise, either on questions of fact, or for misdirection upon any matters of Law, and all motions in arrest of judgment, or upon any matters of Law determined by the said Judge, or Judges, while holding said several Courts; and the said Supreme Bench of Baltimore City shall make all needful rules and regulations for the hearing before it of all of said matters; and the same right of appeal to the Court of Appeals shall be allowed from the determination of the said Court on such matters, as would have been



the right of the parties if said matters had been decided by the Court in which said cases were tried.

SEC. 34. No appeal shall lie to the Supreme Bench of Baltimore City from the decision of the Judge, or Judges, holding the Baltimore City Court, in case of appeal from a Justice of the Peace; but the decision by said Judge, or Judges, shall be final; and all writs and other process issued out of either of said Courts, requiring attestation, shall be attested in the name of the Chief Judge of the said Supreme Bench of Baltimore City.

SEC. 35. Three of the Judges of said Supreme Bench of Baltimore City, shall constitute a quorum of said Court.

SEC. 36. All causes depending, at the adoption of this Constitution, in the Superior Court of Baltimore City, the Court of Common Pleas, the Criminal Court of Baltimore, and the Circuit Court of Baltimore City shall be proceeded in, and prosecuted to final judgment, or decree, in the Courts, respectively, of the same name established by this Constitution, except cases belonging to that class, jurisdiction over which is by this Constitution transferred to the Baltimore City Court, all of which shall, together with all cases now pending in the City Court of Baltimore, be proceeded in, and prosecuted to final judgment in said Baltimore City Court.

SEC. 37. There shall be a Clerk of each of the said Courts of Baltimore City, except the Supreme Bench, who shall be elected by the legal and qualified voters of said City, at the election to be held in said city on the Tuesday next after the First Monday of November, in the year eighteen hundred and sixty-seven, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible thereto, subject to be removed for wilful neglect of duty, or other misdemeanor in office, on conviction in a Court of Law. The salary of each of the said Clerks shall be thirty-five hundred dollars a year, payable only out of the fees and receipts collected by the Clerks of said City, and they shall be entitled to no other perquisites, or compensation. In case of a vacancy in the office of Clerk of any of said Courts, the Judges of said Supreme Bench of Baltimore City shall have power to fill such vacancy until the general election of Delegates to the General Assembly.

to be held next thereafter, when a Clerk of said Court shall be elected to serve for six years thereafter; and the provisions of this Article in relation to the appointment of Deputies by the Clerks of the Circuit Courts in the Counties shall apply to the Clerks of the Courts in Baltimore City.

SEC. 38. The Clerk of the Court of Common Pleas shall have authority to issue within said City, all marriage and other licenses required by Law, subject to such provisions as are now, or may be prescribed by Law. The Clerk of the Superior Court of said City shall receive and record all Deeds, Conveyances, and other papers, which are, or may be required by Law, to be recorded in said City. He shall also have custody of all papers connected with the proceedings on the Law, or Equity side of Baltimore County Court, and of the Dockets thereof, so far as the same have relation to the City of Baltimore, and shall also discharge the duties of Clerk to the Supreme Bench of Baltimore City, unless otherwise provided by Law.

SEC. 39. The General Assembly shall, whenever it may think the same proper and expedient, provide, by Law, another Court for the City of Baltimore, and prescribe its jurisdiction and powers; in which case there shall be elected by the voters of said City, qualified under this Constitution, another Judge of the Supreme Bench of Baltimore City, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation, and have the same powers, as are herein provided for the Judges of said Supreme Bench of Baltimore City; and all of the provisions of this Constitution relating to the assignment of Judges to the Courts, now existing in said City, and for the dispatch of business therein, shall apply to the Court, for whose creation provision is made by this Section. And the General Assembly may reapportion, change, or enlarge the jurisdiction of the several Courts in Baltimore City. Until otherwise provided by Law, the Clerk of the Superior Court of Baltimore City, of the Court of Common Pleas, of the Circuit Court of Baltimore City, of the Baltimore City Court, and of the Criminal Court of Baltimore, shall each give Bond in such penalty as is now prescribed, by Law, to be given by the Clerks of

the Courts, bearing the same names, under the present Constitution.

PART V.—ORPHANS' COURTS.

SEC. 40. The qualified voters of the City of Baltimore, and of the several Counties, shall on the Tuesday next after the first Monday in November next, and on the same day in every fourth year thereafter, elect three men to be Judges of the Orphans' Courts of said City and Counties, respectively, who shall be citizens of the State, and residents for the twelve months preceding, in the City, or County, for which they may be elected. They shall have all the powers now vested in the Orphans' Courts of the State, subject to such changes as the Legislature may prescribe. Each of said Judges shall be paid a per diem for the time they are actually in session, to be regulated by Law, and to be paid by the said City, or Counties respectively. In case of a vacancy in the office of Judge of the Orphans' Court, the Governor shall appoint, subject to confirmation, or rejection by the Senate, some suitable person to fill the same for the residue of the term.

SEC. 41. There shall be a Register of Wills in each County of the State, and the City of Baltimore, to be elected by the legal and qualified voters of said Counties and City, respectively, who shall hold his office for six years from the time of his election, and until his successor is elected and qualified; he shall be re-eligible, and subject at all times to removal for wilful neglect of duty, or misdemeanor in office in the same manner that the Clerks of the Courts are removable. In the event of any vacancy in the office of Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the next general election for Delegates to the General Assembly, when a Register shall be elected to serve for six years thereafter.

PART VI.—JUSTICES OF THE PEACE.

SEC. 42. The Governor, by and with the advice and consent of the Senate, shall appoint such number of Justices of the Peace, and the County Commissioners of the several Counties, and the Mayor and City Council of Baltimore, respectively, shall appoint

such number of Constables, for the several Election Districts of the Counties, and Wards of the City of Baltimore, as are now, or may hereafter be prescribed by Law; and Justices of the Peace and Constables, so appointed, shall be subject to removal by the Judge, or Judges, having criminal jurisdiction in the county, or city, for incompetency, wilful neglect of duty, or misdemeanor in office, on conviction in a Court of Law. The Justices of the Peace and Constables, so appointed, and commissioned, shall be Conservators of the Peace, shall hold their office for two years, and shall have such jurisdiction, duties and compensation, subject to such right of appeal, in all cases, from the judgment of Justices of the Peace, as hath been heretofore exercised, or shall be hereafter prescribed by Law.

SEC. 43. In the event of a vacancy in the office of a Justice of the Peace, the Governor shall appoint a person to serve, as Justice of the Peace, for the residue of the term; and in case of a vacancy in the office of Constable, the County Commissioners of the county in which the vacancy occurs, or the Mayor and City Council of Baltimore, as the case may be, shall appoint a person to serve as Constable for the residue of the term.

#### PART VII.—SHERIFFS.

SEC. 44. There shall be elected in each county, and in the City of Baltimore, in every second year, one person, resident in said county or city, above the age of twenty-five years, and at least five years preceding his election, a citizen of this State, to the office of Sheriff. He shall hold his office for two years, and until his successor is duly elected and qualified; shall be ineligible for two years thereafter, shall give such bond, exercise such powers, and perform such duties as now are, or may hereafter be fixed by Law. In case of a vacancy by death, resignation, refusal to serve, or neglect to qualify, or give bond, or by disqualification, or removal from the county, or city, the Governor shall appoint a person to be Sheriff for the remainder of the official term.

SEC. 45. Coroners, Elisors, and Notaries Public may be appointed for each county, and the city of Baltimore, in the manner, for the purpose, and with the powers now fixed, or which may hereafter be prescribed by Law.

## ARTICLE V.

## ATTORNEY-GENERAL AND STATE'S ATTORNEYS.

## ATTORNEY-GENERAL.

SECTION 1. There shall be an Attorney-General elected by the qualified voters of the State, on general ticket, on the Tuesday next after the first Monday in the month of November, Eighteen hundred and sixty-seven, and on the same day, in every fourth year thereafter, who shall hold his office for four years from the time of his election and qualification, and until his successor is elected and qualified, and shall be re-eligible thereto, and shall be subject to removal for incompetency, wilful neglect of duty, or misdemeanor in office, on conviction in a Court of Law.

SEC. 2. All elections for Attorney-General shall be certified to, and returns made thereof by the Clerks of the Circuit Courts of the several counties, and the Clerk of the Superior Court of Baltimore City, to the Governor of the State, whose duty it shall be to decide on the election and qualification of the person returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as Attorney-General, and to administer the oath of office to the person elected.

SEC. 3. It shall be the duty of the Attorney-General to prosecute and defend on the part of the State, all cases, which at the time of his appointment and qualification, and which thereafter may be depending in the Court of Appeals, or in the Supreme Court of the United States, by or against the State, or wherein the State may be interested; and he shall give his opinion in writing whenever required by the General Assembly, or either Branch thereof, the Governor, the Comptroller, the Treasurer, or any State's Attorney, on any legal matter, or subject depending before them, or either of them; and when required by the Governor, or the General Assembly, he shall aid any State's Attorney in prosecuting any suit or action brought by the State in any Court of this State; and he shall commence and prosecute, or defend, any suit or action in any of said Courts, on the part of the State, which the General Assembly, or the Governor, acting according to Law, shall direct to be commenced, prosecuted or

defended ; and he shall receive for his services an annual salary of Three Thousand dollars ; but he shall not be entitled to receive any fees, perquisites, or rewards, whatever, in addition to the salary aforesaid, for the performance of any official duty ; nor have power to appoint any agent, representative, or deputy, under any circumstances, whatever ; nor shall the Governor employ any additional counsel in any case, whatever, unless authorized by the General Assembly.

SEC. 4. No person shall be eligible to the office of Attorney-General, who is not a citizen of this State, and a qualified voter therein, and has not resided and practiced Law in this State for at least ten years.

SEC. 5. In case of vacancy in the office of Attorney-General, occasioned by death, resignation, removal from the State, or from office, or other disqualification, the said vacancy shall be filled by the Governor, for the residue of the term thus made vacant.

SEC. 6. It shall be the duty of the Clerk of the Court of Appeals and of the Commissioner of the Land Office, respectively, whenever a case shall be brought into said Court, or office, in which the State is a party, or has interest, immediately to notify the Attorney-General thereof.

#### THE STATE'S ATTORNEYS.

SEC. 7. There shall be an Attorney for the State in each county, and the city of Baltimore, to be styled "The State's Attorney," who shall be elected by the voters thereof, respectively, on the Tuesday next after the first Monday in November in the year eighteen hundred and sixty-seven, and on the same day every fourth year thereafter ; and shall hold his office for four years from the first Monday in January next ensuing his election, and until his successor shall be elected and qualified ; and shall be re-eligible thereto, and be subject to removal therefrom, for incompetency, wilful neglect of duty, or misdemeanor in office, on conviction in a Court of Law, or by a vote of two-thirds of the Senate, on the recommendation of the Attorney-General.

SEC. 8. All elections for the State's Attorney shall be certified to, and Returns made thereof, by the Clerks of the said counties and city, to the Judges thereof, having criminal jurisdiction, re-

spectively, whose duty it shall be to decide upon the elections and qualifications of the Persons returned; and, in case of a tie between two or more Persons, to designate which of said Persons shall qualify as State's Attorney, and to administer the oaths of office to the Person elected.

SEC. 9. The State's Attorney shall perform such duties and receive such fees and commissions as are now, or may hereafter be, prescribed by law, and if any State's Attorney shall receive any other fee or reward, than such as is, or may be allowed by Law, he shall, on conviction thereof, be removed from office; *provided*, that the State's Attorney for Baltimore City shall have power to appoint one Deputy, at a salary of not more than Fifteen Hundred dollars per annum, to be paid by the State's Attorney out of the fees of his office, as has heretofore been practiced.

SEC. 10. No person shall be eligible to the office of State's Attorney, who has not been admitted to practice Law in this State, and who has not resided, for at least two years, in the county, or city, in which he may be elected.

SEC. 11. In case of vacancy in the office of State's Attorney, or, of his removal from the county, or city, in which he shall have been elected, or, on his conviction, as herein specified, the said vacancy shall be filled by the Judge of the county, or city, respectively, having criminal jurisdiction, in which said vacancy shall occur, for the residue of the term thus made vacant.

SEC. 12. The State's Attorney, in each county, and the city of Baltimore, shall have authority to collect, and give receipt, in the name of the State, for such sums of money as may be collected by him, and forthwith make return of, and pay over the same, to the proper accounting officer. And the State's Attorney of each county, and the city of Baltimore, before he shall enter on the discharge of his duties, shall execute a Bond to the State of Maryland, for the faithful performance of his duties, in the penalty of ten thousand dollars, with two or more sureties, to be approved by the Judge of the Court, having criminal jurisdiction, in said counties or city.

## ARTICLE VI.

## TREASURY DEPARTMENT.

SECTION 1. There shall be a Treasury Department, consisting of a Comptroller, chosen by the qualified electors of the State, at each regular election of members of the House of Delegates, who shall receive an annual salary of Two Thousand Five Hundred dollars; and a Treasurer to be appointed by the two Houses of the Legislature, at each regular session thereof, on joint ballot, who shall receive an annual salary of Two Thousand Five Hundred dollars; and the terms of office of the said Comptroller and Treasurer shall be for two years, and until their successors shall qualify; and neither of the said officers shall be allowed, or receive any fees, commissions or perquisites of any kind, in addition to his salary, for the performance of any duty or services whatsoever. In case of a vacancy in either of the offices, by death, or otherwise, the Governor, by and with the advice and consent of the Senate, shall fill such vacancy, by appointment to continue until another election, or a choice by the Legislature, as the case may be, and until the qualification of the successor. The Comptroller and the Treasurer shall keep their offices at the seat of Government, and shall take such oath, and enter into such bonds for the faithful discharge of their duties as are now, or may hereafter be, prescribed by Law.

SEC. 2. The Comptroller shall have the general superintendence of the fiscal affairs of the State; he shall digest and prepare plans for the improvement and management of the Revenue, and for the support of the Public Credit; prepare and report estimates of the Revenue and Expenditures of the State: superintend and enforce the prompt collection of all Taxes and Revenue; adjust and settle, on terms, prescribed by Law, with delinquent Collectors and Receivers of taxes and State revenue; preserve all Public Accounts; decide on the forms of keeping and stating Accounts; grant, under regulations, prescribed by Law, all warrants for money to be paid out of the Treasury, in pursuance of appropriations by Law; and countersign all checks drawn by the Treasurer upon any Bank or Banks, in which the moneys of the State



may, from time to time, be deposited; prescribe the formalities of the transfer of stock, or other evidence of the State Debt, and countersign the same, without which, such Evidence shall not be valid; he shall make to the General Assembly full Reports of all his proceedings, and of the state of the Treasury Department, within ten days after the commencement of each Session; and perform such other duties as shall be prescribed by Law.

SEC. 3. The Treasurer shall receive the moneys of the State, and, until otherwise prescribed by Law, deposit them, as soon as received, to the credit of the State, in such Bank, or Banks, as he may, from time to time, with the approval of the Governor, select, (the said Bank or Banks giving security, satisfactory to the Governor, for the safe keeping and forthcoming, when required, of said Deposits,) and shall disburse the same for the purposes of the State, according to Law, upon warrants drawn by the Comptroller, and on checks, countersigned by him, and not otherwise; he shall take receipts for all moneys paid by him; and receipts for moneys received by him shall be endorsed upon warrants, signed by the Comptroller; without which warrants, so signed, no acknowledgment of money received into the Treasury shall be valid; and upon warrants, issued by the Comptroller, he shall make arrangements for the payment of the interest of the Public Debt, and for the purchase thereof on account of the Sinking Fund. Every Bond, Certificate, or other Evidence of the debt of the State, shall be signed by the Treasurer, and countersigned by the Comptroller; and no new Certificate, or other Evidence intended to replace another, shall be issued until the old one shall be delivered to the Treasurer, and authority executed in due form for the transfer of the same filed in his office, and the transfer accordingly made on the books thereof, and the certificate or other evidence cancelled; but the Legislature may make provisions for the loss of certificates, or other evidences of the debt: and may prescribe by Law, the manner in which the Treasurer shall receive and keep the moneys of the State.

SEC. 4. The Treasurer shall render his Accounts, quarterly, to the Comptroller; and shall publish, monthly, in such newspapers as the Governor may direct, an abstract thereof, showing the amount of cash on hand, and the place, or places of deposit

thereof; and on the third day of each regular session of the Legislature, he shall submit to the Senate and House of Delegates fair and accurate copies of all Accounts by him, from time to time, rendered and settled with the Comptroller. He shall, at all times, submit to the Comptroller the inspection of the money in his hands, and perform all other duties that shall be prescribed by Law.

SEC. 5. The Comptroller shall qualify, and enter on the duties of his office on the third Monday of January next succeeding the time of his election, or as soon thereafter as practicable. And the Treasurer shall qualify within one month after his appointment by the Legislature.

SEC. 6. Whenever during the recess of the Legislature charges shall be preferred to the Governor against the Comptroller or Treasurer, for incompetency, malfeasance in office, wilful neglect of duty, or misappropriation of the funds of the State, it shall be the duty of the Governor forthwith to notify the party so charged, and fix a day for a hearing of said charges; and if, from the evidence taken under oath, on said hearing before the Governor, the said allegations shall be sustained, it shall be the duty of the Governor to remove said offending officer, and appoint another in his place, who shall hold the office for the unexpired term of the officer so removed.

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## ARTICLE VII.

### SUNDRY OFFICERS.

SECTION 1. County Commissioners shall be elected on general ticket of each County, by the qualified voters of the several Counties of this State, on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven, and on the same day in every second year thereafter. Their number in each County, their compensation, powers and duties, shall be such as are now, or may be hereafter prescribed by Law.

SEC. 2. The qualified voters of each County, and of the City of Baltimore, shall, on the Tuesday next after the first Monday in the month of November, in the year eighteen hundred and

sixty-seven, and on the same day in every second year thereafter, elect a Surveyor for each County and the City of Baltimore, respectively, whose term of office shall commence on the first Monday of January next ensuing their election; and whose duties and compensation shall be the same as are now, or may hereafter be prescribed by Law. And any vacancy in the office of Surveyor, shall be filled by the Commissioners of the Counties, or by the Mayor and City Council of Baltimore, respectively, for the residue of the term.

SEC. 3. The State Librarian shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall hold his office during the term of the Governor, by whom he shall have been appointed, and until his successor shall be appointed and qualified. His salary shall be Fifteen hundred dollars a year; and he shall perform such duties as are now, or may hereafter be prescribed by Law; and no appropriation shall be made by Law, to pay for any Clerk, or assistant to the Librarian: And it shall be the duty of the Legislature, at its first Session after the adoption of this Constitution, to pass a Law regulating the mode and manner in which the Books in the Library shall be kept and accounted for by the Librarian, and requiring the Librarian to give a Bond, in such penalty as the Legislature may prescribe, for the proper discharge of his duties.

SEC. 4. There shall be a Commissioner of the Land Office, who shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold his office during the term of the Governor, by whom he shall have been appointed, and until his successor shall be appointed and qualified. He shall perform such duties as are now required of the Commissioner of the Land Office, or such as may hereafter be prescribed by Law, and shall also be the Keeper of the Chancery Records. He shall receive a salary of One Thousand five hundred dollars per annum, to be paid out of the Treasury, and shall charge such fees as are now, or may be hereafter fixed by Law. He shall make a semi-annual report of all the fees of his office, both as Commissioner of the Land Office, and as Keeper of the Chancery Records, to the Comptroller of the Treasury, and shall pay the same semi-annually into the Treasury.

SEC. 5. The Commissioner of the Land Office shall also, without additional compensation, collect, arrange, classify, have charge of, and safely keep all Papers, Records, Relics, and other Memorials connected with the Early History of Maryland, not belonging to any other office.

SEC. 6. The qualified voters of Worcester County shall, on the Tuesday next after the first Monday in the month of November in the year Eighteen Hundred and Sixty-seven, and every two years thereafter, elect a Wreck Master for said County, whose duties and compensation shall be the same as are now, or may be hereafter, prescribed by Law; the term of office of said Wreck Master shall commence on the first Monday of January, next succeeding his election, and a vacancy in said office shall be filled by the County Commissioners of said County for the residue of the term.

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## ARTICLE VIII.

### EDUCATION.

SECTION 1. The General Assembly, at its First Session after the adoption of this Constitution, shall by Law establish throughout the State a thorough and efficient System of Free Public Schools; and shall provide by taxation, or otherwise, for their maintenance.

SEC. 2. The System of Public Schools, as now constituted, shall remain in force until the end of the said First Session of the General Assembly, and shall then expire; except so far as adopted, or continued, by the General Assembly.

SEC. 3. The School Fund of the State shall be kept inviolate, and appropriated only to the purposes of Education.

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## ARTICLE IX.

### MILITIA AND MILITARY AFFAIRS.

SECTION 1. The General Assembly shall make, from time to time, such provision for organizing, equipping and disciplining the Militia, as the exigency may require, and pass such Laws to

promote Volunteer Militia Organizations as may afford them effectual encouragement.

SEC. 2. There shall be an Adjutant-General, appointed by the Governor, by and with the advice and consent of the Senate. He shall hold his office until the appointment and qualification of his successor, or until removed in pursuance of the sentence of a Court Martial. He shall perform such duties, and receive such compensation, or emoluments, as are now, or may be prescribed by Law. He shall discharge the duties of his office at the seat of Government, unless absent, under orders, on duty; and no other officer of the General Staff of the Militia shall receive salary or pay, except when on service, and mustered in with troops.

SEC. 3. The existing Militia Law of the State shall expire at the end of the next Session of the General Assembly, except so far as it may be re-enacted, subject to the provisions of this Article.

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## ARTICLE X.

### LABOR AND AGRICULTURE.

SECTION 1. There shall be a Superintendent of Labor and Agriculture, elected by the qualified voters of this State at the first general election for Delegates to the General Assembly after the adoption of this Constitution, who shall hold his office for the term of four years, and until the election and qualification of his successor.

SEC. 2. His qualifications shall be the same as those prescribed for the Comptroller; he shall qualify and enter upon the duties of his office on the second Monday of January next, succeeding the time of his election; and a vacancy in the office shall be filled by the Governor for the residue of the term.

SEC. 3. He shall perform such of the duties now devolved by Law upon the Commissioner of Immigration, and the Immigration Agent, as will promote the object, for which those officers were appointed, and such other duties as may be assigned to him by the General Assembly, and shall receive a salary of Twenty-five Hundred dollars a year; and after his election and qualification, the offices before mentioned shall cease.

SEC. 4. He shall supervise all the State Inspectors of agricultural products and fertilizers ; and from time to time, shall carefully examine and audit their accounts, and prescribe regulations, not inconsistent with Law, tending to secure economy and efficiency in the business of their offices. He shall have the supervision of the Tobacco Warehouses, and all other buildings used for inspection and storage purposes by the State : and may, at the discretion of the Legislature, have the supervision of all public buildings, now belonging to, or which may hereafter be erected by the State. He shall frequently inspect such buildings as are committed to his charge, and examine all accounts for labor and materials required for their construction, or repairs.

SEC. 5. He shall inquire into the undeveloped resources of wealth of the State of Maryland more especially concerning those within the limits of the Chesapeake Bay and its tributaries, which belong to the State, and suggest such plans as may be calculated to render them available as sources of revenue.

SEC. 6. He shall make detailed reports to every General Assembly within the first week of its session, in reference to each of the subjects committed to his charge, and he shall also report to the Governor, in the recess of the Legislature, all abuses, or irregularities, which he may find to exist in any Department of public affairs, with which his office is connected.

SEC. 7. The office hereby established shall continue for four years from the date of the qualification of the first incumbent thereof ; and shall then expire, unless continued by the General Assembly.

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## ARTICLE XI.

### CITY OF BALTIMORE.

SECTION 1. The Inhabitants of the City of Baltimore, qualified by Law to vote in said city for members of the House of Delegates, shall on the fourth Wednesday of October, eighteen hundred and sixty-seven, and on the same day in every fourth year thereafter, elect a person to be Mayor of the City of Baltimore, who shall have such qualifications, receive such compensation, discharge such duties, and have such powers as are now, or may

hereafter be prescribed by Law; and the term of whose office shall commence on the first Monday of November succeeding his election, and shall continue for four years, and until his successor shall have qualified; and he shall be ineligible for the term next succeeding that for which he was elected.

SEC. 2. The City Council of Baltimore shall consist of Two Branches, one of which shall be called the First Branch, and the other the Second Branch; and each shall consist of such number of members, having such qualification, receiving such compensation, performing such duties, possessing such powers, holding such terms of office, and elected in such manner, as are now, or may hereafter be prescribed by Law.

SEC. 3. An election for members of the First and Second Branch of the City Council of Baltimore shall be held in the City of Baltimore on the fourth Wednesday of October, eighteen hundred and sixty-seven; and for members of the First Branch on the same day in every year thereafter; and for members of the Second Branch on the same day in every second year thereafter; and the qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.

SEC. 4. The regular sessions of the City Council of Baltimore, (which shall be annual,) shall commence on the third Monday of January of each year, and shall not continue more than ninety days, exclusive of Sundays; but the Mayor may convene the City Council in extra session whenever, and as often as it may appear to him that the public good may require; but no called, or extra session shall last longer than twenty days, exclusive of Sundays.

SEC. 5. No person, elected and qualified as Mayor, or as a member of the City Council, shall, during the term for which he was elected, hold any other office of profit or trust, created, or to be created, by the Mayor and City Council of Baltimore, or by any Law relating to the Corporation of Baltimore, or hold any employment, or position, the compensation of which shall be paid, directly or indirectly, out of the City Treasury; nor shall any such person be interested, directly or indirectly, in any contract, to which the City is a party; nor shall it be lawful for any per-

son, holding any office, under the City, to be interested, while holding such office, in any contract, to which the City is a party.

SEC. 6. The Mayor shall, on conviction in a Court of Law, of wilful neglect of duty, or misbehavior in office, be removed from office by the Governor of the State, and a successor shall thereafter be elected, as in a case of vacancy.

SEC. 7. From and after the adoption of this Constitution, no debt (except as hereinafter excepted) shall be created by the Mayor and City Council of Baltimore; nor shall the credit of the Mayor and City Council of Baltimore be given, or loaned to, or in aid of any individual, association, or corporation; nor shall the Mayor and City Council of Baltimore have the power to involve the City of Baltimore in the construction of Works of Internal Improvement, nor in granting any aid thereto, which shall involve the faith and credit of the City, nor make any appropriation therefor, unless such debt, or credit be authorized by an Act of the General Assembly of Maryland, and by an Ordinance of the Mayor and City Council of Baltimore, submitted to the legal voters of the City of Baltimore at such time and place as may be fixed by said Ordinance, and approved by a majority of the votes cast at such time and place; but the Mayor and City Council may, temporarily, borrow any amount of money to meet any deficiency in the City Treasury, or to provide for any emergency arising from the necessity of maintaining the Police, or preserving the safety and sanitary condition of the City, and may make due and proper arrangements and agreements for the removal and extension, in whole or in part, of any and all debts and obligations, created according to Law before the adoption of this Constitution.

SEC. 8. All Laws and Ordinances, now in force, applicable to the City of Baltimore, not inconsistent with this Article, shall be, and they are hereby continued until changed in due course of Law.

SEC. 9. The General Assembly may make such changes in this Article, except in Section seventh thereof, as it may deem best; and this Article shall not be so construed, or taken as to make the political Corporation of Baltimore independent, of, or free from the control, which the General Assembly of Maryland has over all such Corporations in this State.



## ARTICLE XII.

## PUBLIC WORKS.

SECTION 1. The Governor, the Comptroller of the Treasury, and the Treasurer, shall constitute the Board of Public Works in this State. They shall keep a journal of their proceedings, and shall hold regular sessions in the City of Annapolis, on the first Wednesday in January, April, July and October, in each year, and oftener, if necessary; at which sessions they shall hear and determine such matters as affect the Public Works of the State, and as the General Assembly may confer upon them the power to decide.

SEC. 2. They shall exercise a diligent and faithful supervision of all Public Works in which the State may be interested as Stockholder or Creditor, and shall represent, and vote the stock of the State of Maryland, in all meetings of the stockholders of the Chesapeake and Ohio Canal; and shall appoint the Directors in every Railroad and Canal Company, in which the State has the legal power to appoint Directors, which said Directors shall represent the State in all meetings of the Stockholders of the respective Companies, for which they are appointed or elected. And the President and Directors of the said Chesapeake and Ohio Canal Company shall so regulate the tolls of said Company, from time to time, as to produce the largest amount of revenue, and to avoid the injurious effects to said Company of rival competition by other Internal Improvement Companies. They shall require the Directors of all said Public Works to guard the public interest, and prevent the establishment of tolls which shall discriminate against the interest of the citizens or products of this State, and from time to time, and as often as there shall be any change in the rates of toll on any of the said Works, to furnish the said Board of Public Works a schedule of such modified rates of toll, and so adjust them as to promote the agricultural interests of the State; they shall report to the General Assembly at each regular session, and recommend such legislation as they may deem necessary and requisite to promote or protect the interests of the State in the said Public Works; they shall perform such other duties as may be hereafter prescribed by Law; and a majority of them shall be

competent to act. The Governor, Comptroller and Treasurer shall receive no additional salary for services rendered by them as members of the Board of Public Works. The provisions of the Act of the General Assembly of Maryland of the year 1867, chapter 359, are hereby declared null and void.

SEC. 3. The Board of Public Works is hereby authorized to exchange the State's interest as Stockholder and Creditor in the Baltimore and Ohio Railroad Company for an equal amount of the bonds or registered debt now owing by the State, to the extent only of all the preferred stock of the State on which the State is entitled to only six per cent. interest, provided such exchange shall not be made at less than par, nor less than the market value of said stock; and the said Board is authorized, subject to such regulations and conditions as the General Assembly may from time to time prescribe, to sell the State's interest in the other Works of internal Improvement, whether as a Stockholder or a Creditor, and also the State's interest in any banking corporation, receiving in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest; provided, that the interest of the State in the Washington Branch of the Baltimore and Ohio Railroad be reserved and excepted from sale; and provided further, that no sale or contract of sale of the State's interest in the Chesapeake and Ohio Canal, the Chesapeake and Delaware Canal, and the Susquehanna and Tide-water Canal Companies shall go into effect until the same shall be ratified by the ensuing General Assembly.

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## ARTICLE XIII.

### NEW COUNTIES.

SECTION 1. The General Assembly may provide, by Law, for organizing new Counties, locating and removing county seats, and changing county lines, but no new county shall be organized without the consent of the majority of the legal voters residing within the limits proposed to be formed into said new county; and whenever a new county shall be proposed to be formed out of portions

of two or more Counties, the consent of a majority of the legal voters of such part of each of said counties, respectively, shall be required; nor shall the lines of any county be changed without the consent of a majority of the legal voters, residing within the district, which, under said proposed change, would form a part of a county different from that to which it belonged prior to said change: and no new county shall contain less than four hundred square miles, nor less than ten thousand white Inhabitants; nor shall any change be made in the limits of any county, whereby the population of said county would be reduced to less than ten thousand white Inhabitants, or its territory reduced to less than four hundred square miles.

SEC. 2. At the election to be held for the adoption, or rejection of this Constitution, in each Election District, in those parts of Worcester and Somerset Counties, comprised within the following limits, viz.: Beginning at the point, where Mason and Dixon's line crosses the channel of Pocomoke River, thence following said line to the channel of the Nanticoke River, thence with the channel of said river to Tangier Sound, or the intersection of Nanticoke and Wicomico Rivers, thence up the channel of the Wicomico River to the mouth of Wicomico Creek, thence with the channel of said creek and Passerdlyke Creek to Dashfield's, or Disharoon's Mills, thence with the mill-pond of said mills and Branch following the middle prong of said Branch, to Meadow Bridge, on the road, dividing the Counties of Somerset and Worcester, near the southwest corner of the farm of William P. Morris, thence due east to the Pocomoke River, thence with the channel of said river to the beginning, the Judges of election, in each of said Districts, shall receive the ballots of each elector, voting at said election, who has resided for six months, preceding said election within said limits, for or against a new County; and the Return Judges of said Election Districts shall certify the result of such voting, in the manner, now prescribed by Law, to the Governor, who shall by Proclamation make known the same; and if a majority of the legal votes, cast within that part of Worcester County, contained within said lines, and also a majority of the legal votes cast within that part of Somerset County, contained within said lines, shall be in favor of a new County, then said

parts of Worcester and Somerset Counties shall become and constitute a new County, to be called Wicomico County; and Salisbury shall be the County Seat. And the Inhabitants thereof shall thenceforth have and enjoy all such rights and privileges as are held and enjoyed by the Inhabitants of the other Counties of this State.

SEC. 3. When said new County shall have been so created, the Inhabitants thereof shall cease to have any claim to, or interest in the county buildings, and other public property of every description, belonging to said Counties of Somerset and Worcester, respectively, and shall be liable for their proportionate shares of the then existing debts and obligations of the said Counties, according to the last assessment in said Counties, to be ascertained and apportioned by the Circuit Court of Somerset County, as to the debts and obligations of said County, and by the Circuit Court of Worcester County, as to the debts and obligations of Worcester County, on the petition of the County Commissioners of the said Counties, respectively; and the property in each part of the said Counties, included in said new County, shall be bound only for the share of the debts and obligations of the county from which it shall be separated; and the Inhabitants of said new county shall also pay the County taxes, levied upon them at the time of the creation of such new County, as if such new County had not been created; and on the application of twelve citizens of the proposed county of Wicomico, the Surveyor of Worcester County shall run and locate the line from Meadow Bridge to the Pocomoke River, previous to the adoption, or rejection of this Constitution, and at the expense of said petitioners.

SEC. 4. At the first general election, held under this Constitution, the qualified voters of said new County shall be entitled to elect a Senator, and two Delegates to the General Assembly, and all such County, or other officers as this Constitution may authorize, or require to be elected by other Counties of the State; a notice of such election shall be given by the Sheriffs of Worcester and Somerset Counties in the manner now prescribed by Law; and in case said new County shall be established, as aforesaid, then the Counties of Somerset and Worcester shall be entitled to elect but two Delegates each to the General Assembly.

SEC. 5. The County of Wicomico, if formed according to the provisions of this Constitution, shall be embraced in the First Judicial Circuit; and the times for holding the Courts therein shall be fixed and determined by the General Assembly.

SEC. 6. The General Assembly shall pass all such Laws as may be necessary more fully to carry into effect the provisions of this Article.

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## ARTICLE XIV.

### AMENDMENTS TO THE CONSTITUTION.

SECTION 1. The General Assembly may propose Amendments to this Constitution; provided, that each Amendment shall be embraced in a separate Bill, embodying the Article or Section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two Houses, by yeas and nays, to be entered on the Journals with the proposed Amendment. The Bill, or Bills, proposing amendment, or amendments, shall be published by order of the Governor, in at least two newspapers in each county, where so many may be published, and where not more than one may be published, then in that newspaper, and in three newspapers published in the City of Baltimore, one of which shall be in the German language, once a week, for at least three months preceding the next ensuing general election, at which the said proposed amendment, or amendments shall be submitted, in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection. The votes cast for and against said proposed amendment, or amendments, severally, shall be returned to the Governor, in the manner prescribed in other cases, and if it shall appear to the Governor that a majority of the votes cast at said election on said amendment, or amendments, severally, were cast in favor thereof, the Governor shall, by his Proclamation, declare the said amendment, or amendments, having received said majority of votes, to have been adopted by the People of Maryland as part of the Constitution thereof, and thenceforth said amendment, or amendments shall be part of the said Constitution. When two or more amendments shall be submitted, in manner aforesaid, to

the voters of this State at the same election, they shall be so submitted as that each amendment shall be voted on separately.

SEC. 2. It shall be the duty of the General Assembly to provide by Law for taking, at the general election to be held in the year eighteen hundred and eighty-seven, and every twenty years thereafter, the sense of the People in regard to calling a Convention for altering this Constitution; and if a majority of voters at such election or elections shall vote for a Convention, the General Assembly, at its next session, shall provide by Law for the assembling of such Convention, and for the election of Delegates thereto. Each County, and Legislative District of the City of Baltimore, shall have in such Convention a number of Delegates equal to its representation in both Houses at the time at which the Convention is called. But any Constitution, or change, or amendment of the existing Constitution, which may be adopted by such Convention, shall be submitted to the voters of this State, and shall have no effect unless the same shall have been adopted by a majority of the voters voting thereon.

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## MISCELLANEOUS.

### ARTICLE XV.

SECTION 1. Every person holding any office created by, or existing under the Constitution, or Laws of the State, (except Justices of the Peace, Constables and Coroners,) or holding any appointment under any Court of this State, whose pay, or compensation is derived from fees, or moneys coming into his hands for the discharge of his official duties, or, in any way, growing out of, or connected with his office, shall keep a book in which shall be entered every sum, or sums of money, received by him, or on his account, as a payment or compensation for his performance of official duties, a copy of which entries in said book, verified by the oath of the officer, by whom it is directed to be kept, shall be returned yearly to the Comptroller of the State for his inspection, and that of the General Assembly of the State, to which the Comptroller shall, at each regular session thereof, make

a report showing what officers have complied with this Section ; and each of the said officers, when the amount received by him for the year shall exceed the sum which he is by Law entitled to retain, as his salary, or compensation for the discharge of his duties, and for the expenses of his office, shall yearly pay over to the Treasurer of the State the amount of such excess, subject to such disposition thereof as the General Assembly may direct ; if any of such officers shall fail to comply with the requisitions of this Section for the period of thirty days after the expiration of each and every year of his office, such officer shall be deemed to have vacated his office, and the Governor shall declare the same vacant, and the vacancy therein shall be filled as in case of vacancy for any other cause, and such officer shall be subject to suit by the State for the amount that ought to be paid into the Treasury ; and no person holding any office created by, or existing under this Constitution, or Laws of the State, or holding any appointment, under any Court in this State, shall receive more than three thousand dollars a year as a compensation for the discharge of his official duties, except in cases specially provided in this Constitution.

SEC. 2. The several Courts existing in this State at the time of the adoption of this Constitution, shall, until superseded under its provisions, continue with like powers and jurisdiction, and in the exercise thereof, both at Law and in Equity, in all respects, as if this Constitution had not been adopted ; and when said Courts shall be so superseded, all causes, then depending in said Courts, shall pass into the jurisdiction of the several Courts, by which they may, [*be*] respectively, superseded.

SEC. 3. The Governor, and all officers, civil and military, now holding office under this State, whether by election, or appointment, shall continue to hold, exercise and discharge the duties of their offices (unless inconsistent with, or otherwise provided in this Constitution), until they shall be superseded, under its provisions, and until their successors shall be duly qualified.

SEC. 4. If at any election directed by this Constitution, any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered by the Governor, except in cases specially provided for by this Constitution.

SEC. 5. In the trial of all criminal cases, the Jury shall be the Judges of Law, as well as of fact.

SEC. 6. The right of trial by Jury of all issues of fact in civil proceedings in the several Courts of Law in this State, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved.

SEC. 7. All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur; and the first election of all officers, who, under this Constitution, are required to be elected by the People, shall, except in cases herein specially provided for, be held on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven.

SEC. 8. The Sheriffs of the several Counties of this State, and of the City of Baltimore, shall give notice of the several elections authorized by this Constitution, in the manner prescribed by existing Laws for elections to be held in this State, until said Laws shall be changed.

SEC. 9. The Term of office of all Judges and other officers, for whose election provision is made by this Constitution, shall, except in cases otherwise expressly provided herein, commence from the time of their Election; and all such officers shall qualify as soon after their election as practicable, and shall enter upon the duties of their respective offices, immediately upon their qualification; and the Term of office of the State Librarian and of the Commissioner of the Land Office shall commence from the time of their appointment.

SEC. 10. Any officer elected or appointed in pursuance of the provisions of this Constitution, may qualify, either according to the existing provisions of Law, in relation to officers under the present Constitution, or before the Governor of the State, or before any Clerk of any Court of Record in any part of the State; but in case an officer shall qualify out of the County in which he resides, an official copy of his oath shall be filed and recorded in the Clerk's office of the Circuit Court of the County in which he may reside, or in the Clerk's office of the Superior Court of the City of Baltimore, if he shall reside therein.









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